

House Amendment to
Senate File 2336

S-5221

1 Amend Senate File 2336, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. By striking everything after the enacting clause
4 and inserting:

5 <DIVISION I

6 DEPARTMENT ON AGING

7 Section 1. 2011 Iowa Acts, chapter 129, section
8 113, is amended to read as follows:

9 SEC. 113. DEPARTMENT ON AGING. There is
10 appropriated from the general fund of the state to
11 the department on aging for the fiscal year beginning
12 July 1, 2012, and ending June 30, 2013, the following
13 amount, or so much thereof as is necessary, to be used
14 for the purposes designated:

15 For aging programs for the department on aging and
16 area agencies on aging to provide citizens of Iowa who
17 are 60 years of age and older with case management for
18 frail elders, Iowa's aging and disabilities resource
19 center, and other services which may include but are
20 not limited to adult day services, respite care, chore
21 services, information and assistance, and material aid,
22 for information and options counseling for persons with
23 disabilities who are 18 years of age or older, and
24 for salaries, support, administration, maintenance,
25 and miscellaneous purposes, and for not more than the
26 following full-time equivalent positions:

27	\$	5,151,288
28		<u>10,242,086</u>
29	FTEs	35.00

30 1. Funds appropriated in this section may be used
31 to supplement federal funds under federal regulations.
32 To receive funds appropriated in this section, a local
33 area agency on aging shall match the funds with moneys
34 from other sources according to rules adopted by the
35 department. Funds appropriated in this section may be
36 used for elderly services not specifically enumerated
37 in this section only if approved by an area agency on
38 aging for provision of the service within the area.

39 ~~2. The amount appropriated in this section includes~~
40 ~~additional funding of \$225,000 for delivery of~~
41 ~~long-term care services to seniors with low or moderate~~
42 ~~incomes.~~

43 3. Of the funds appropriated in this section,
44 ~~\$89,973~~ \$179,946 shall be transferred to the department
45 of economic development for the Iowa commission on
46 volunteer services to be used for the retired and
47 senior volunteer program.

48 4. a. The department on aging shall establish and
49 enforce procedures relating to expenditure of state and
50 federal funds by area agencies on aging that require

1 compliance with both state and federal laws, rules, and
2 regulations, including but not limited to all of the
3 following:

4 (1) Requiring that expenditures are incurred only
5 for goods or services received or performed prior to
6 the end of the fiscal period designated for use of the
7 funds.

8 (2) Prohibiting prepayment for goods or services
9 not received or performed prior to the end of the
10 fiscal period designated for use of the funds.

11 (3) Prohibiting the prepayment for goods or
12 services not defined specifically by good or service,
13 time period, or recipient.

14 (4) Prohibiting the establishment of accounts from
15 which future goods or services which are not defined
16 specifically by good or service, time period, or
17 recipient, may be purchased.

18 b. The procedures shall provide that if any funds
19 are expended in a manner that is not in compliance with
20 the procedures and applicable federal and state laws,
21 rules, and regulations, and are subsequently subject
22 to repayment, the area agency on aging expending such
23 funds in contravention of such procedures, laws, rules
24 and regulations, not the state, shall be liable for
25 such repayment.

26 5. The department shall develop recommendations
27 for an implementation schedule, including funding
28 projections, for the substitute decision maker program
29 created pursuant to chapter 231E, and shall submit the
30 recommendations to the individuals identified in this
31 Act for submission of reports by December 15, 2012.

32 6. The amount appropriated in this section reflects
33 a reduction in expenditures for office supplies,
34 purchases of equipment, office equipment, printing and
35 binding, and marketing, that shall be applied equitably
36 to the programs under the purview of the department.

37 DIVISION II

38 DEPARTMENT OF PUBLIC HEALTH

39 Sec. 2. 2011 Iowa Acts, chapter 129, section 114,
40 is amended to read as follows:

41 SEC. 114. DEPARTMENT OF PUBLIC HEALTH. There is
42 appropriated from the general fund of the state to
43 the department of public health for the fiscal year
44 beginning July 1, 2012, and ending June 30, 2013, the
45 following amounts, or so much thereof as is necessary,
46 to be used for the purposes designated:

47 1. ADDICTIVE DISORDERS

48 For reducing the prevalence of use of tobacco,
49 alcohol, and other drugs, and treating individuals
50 affected by addictive behaviors, including gambling,

1 and for not more than the following full-time
2 equivalent positions:

3 \$ ~~11,751,595~~
4 23,463,690
5 FTEs 13.00

6 a. (1) Of the funds appropriated in this
7 subsection, ~~\$1,626,915~~ \$3,253,830 shall be used for
8 the tobacco use prevention and control initiative,
9 including efforts at the state and local levels, as
10 provided in chapter 142A. The commission on tobacco
11 use prevention and control established pursuant to
12 section 142A.3 shall advise the director of public
13 health in prioritizing funding needs and the allocation
14 of moneys appropriated for the programs and activities
15 of the initiative under this subparagraph (1) and shall
16 make recommendations to the director in the development
17 of budget requests relating to the initiative. Of the
18 funds allocated in this subparagraph (1), \$750,000
19 shall be used for support of Quitline Iowa.

20 (2) (a) Of the funds allocated in this paragraph
21 "a", ~~\$226,915~~ \$453,830 shall be transferred to the
22 alcoholic beverages division of the department of
23 commerce for enforcement of tobacco laws, regulations,
24 and ordinances in accordance with 2011 Iowa Acts, House
25 File 467, as enacted chapter 63.

26 (b) For the fiscal year beginning July 1, 2012,
27 and ending June 30, 2013, the terms of a chapter
28 28D agreement, entered into between the division of
29 tobacco use prevention and control of the department
30 of public health and the alcoholic beverages division
31 of the department of commerce, governing compliance
32 checks conducted to ensure licensed retail tobacco
33 outlet conformity with tobacco laws, regulations, and
34 ordinances relating to persons under eighteen years of
35 age, shall restrict the number of such checks to one
36 check per retail outlet, and one additional check for
37 any retail outlet found to be in violation during the
38 first check.

39 b. Of the funds appropriated in this subsection,
40 ~~\$10,124,680~~ \$20,249,360 shall be used for problem
41 gambling and substance abuse prevention, treatment,
42 and recovery services, including a 24-hour helpline,
43 public information resources, professional training,
44 and program evaluation.

45 (1) Of the funds allocated in this paragraph "b",
46 ~~\$8,566,254~~ \$17,132,508 shall be used for substance
47 abuse prevention and treatment.

48 (a) Of the funds allocated in this subparagraph
49 (1), ~~\$449,650~~ \$899,300 shall be used for the public
50 purpose of a grant program to provide substance abuse

1 prevention programming for children.

2 (i) Of the funds allocated in this subparagraph
3 division (a), ~~\$213,769~~ \$427,539 shall be used for grant
4 funding for organizations that provide programming for
5 children by utilizing mentors. Programs approved for
6 such grants shall be certified or will be certified
7 within six months of receiving the grant award by the
8 Iowa commission on volunteer services as utilizing
9 the standards for effective practice for mentoring
10 programs.

11 (ii) Of the funds allocated in this subparagraph
12 division (a), ~~\$213,419~~ \$426,839 shall be used for grant
13 funding for organizations that provide programming
14 that includes youth development and leadership. The
15 programs shall also be recognized as being programs
16 that are scientifically based with evidence of their
17 effectiveness in reducing substance abuse in children.

18 (iii) The department of public health shall utilize
19 a request for proposals process to implement the grant
20 program.

21 (iv) All grant recipients shall participate in a
22 program evaluation as a requirement for receiving grant
23 funds.

24 (v) Of the funds allocated in this subparagraph
25 division (a), up to ~~\$22,461~~ \$44,922 may be used to
26 administer substance abuse prevention grants and for
27 program evaluations.

28 (b) Of the funds allocated in this subparagraph
29 (1), ~~\$136,531~~ \$273,062 shall be used for culturally
30 competent substance abuse treatment pilot projects.

31 (i) The department shall utilize the amount
32 allocated in this subparagraph division (b) for at
33 least three pilot projects to provide culturally
34 competent substance abuse treatment in various areas
35 of the state. Each pilot project shall target a
36 particular ethnic minority population. The populations
37 targeted shall include but are not limited to African
38 American, Asian, and Latino.

39 (ii) The pilot project requirements shall provide
40 for documentation or other means to ensure access
41 to the cultural competence approach used by a pilot
42 project so that such approach can be replicated and
43 improved upon in successor programs.

44 (2) Of the funds allocated in this paragraph "b",
45 up to ~~\$1,558,426~~ \$3,116,852 may be used for problem
46 gambling prevention, treatment, and recovery services.

47 (a) Of the funds allocated in this subparagraph
48 (2), ~~\$1,289,500~~ \$2,579,000 shall be used for problem
49 gambling prevention and treatment.

50 (b) Of the funds allocated in this subparagraph

1 (2), up to ~~\$218,926~~ \$437,852 may be used for a 24-hour
2 helpline, public information resources, professional
3 training, and program evaluation.

4 (c) Of the funds allocated in this subparagraph
5 (2), up to ~~\$50,000~~ \$100,000 may be used for the
6 licensing of problem gambling treatment programs.

7 (3) It is the intent of the general assembly that
8 from the moneys allocated in this paragraph "b",
9 persons with a dual diagnosis of substance abuse
10 and gambling addictions shall be given priority in
11 treatment services.

12 c. Notwithstanding any provision of law to the
13 contrary, to standardize the availability, delivery,
14 cost of delivery, and accountability of problem
15 gambling and substance abuse treatment services
16 statewide, the department shall continue implementation
17 of a process to create a system for delivery of
18 treatment services in accordance with the requirements
19 specified in 2008 Iowa Acts, chapter 1187, section
20 3, subsection 4. To ensure the system provides a
21 continuum of treatment services that best meets the
22 needs of Iowans, the problem gambling and substance
23 abuse treatment services in any area may be provided
24 either by a single agency or by separate agencies
25 submitting a joint proposal.

26 (1) The system for delivery of substance abuse
27 and problem gambling treatment shall include problem
28 gambling prevention.

29 (2) The system for delivery of substance abuse and
30 problem gambling treatment shall include substance
31 abuse prevention by July 1, 2014.

32 (3) Of the funds allocated in paragraph "b",
33 the department may use up to ~~\$50,000~~ \$100,000 for
34 administrative costs to continue developing and
35 implementing the process in accordance with this
36 paragraph "c".

37 d. The requirement of section 123.53, subsection
38 5, is met by the appropriations and allocations made
39 in this Act for purposes of substance abuse treatment
40 and addictive disorders for the fiscal year beginning
41 July 1, 2012.

42 e. The department of public health shall work
43 with all other departments that fund substance
44 abuse prevention and treatment services and all
45 such departments shall, to the extent necessary,
46 collectively meet the state maintenance of effort
47 requirements for expenditures for substance abuse
48 services as required under the federal substance abuse
49 prevention and treatment block grant.

50 f. The department shall amend or otherwise

1 revise departmental policies and contract provisions
2 in order to eliminate free t-shirt distribution,
3 banner production, and other unnecessary promotional
4 expenditures.

5 g. The amount appropriated in this subsection
6 reflects a reduction in expenditures for office
7 supplies, purchases of equipment, office equipment,
8 printing and binding, and marketing, that shall
9 be applied equitably to the programs under this
10 subsection.

11 2. HEALTHY CHILDREN AND FAMILIES

12 For promoting the optimum health status for
13 children, adolescents from birth through 21 years of
14 age, and families, and for not more than the following
15 full-time equivalent positions:

16	\$	<u>1,297,135</u>
17		<u>2,578,559</u>
18	FTEs	10.00

19 a. Of the funds appropriated in this subsection,
20 not more than ~~\$369,659~~ \$739,318 shall be used for
21 the healthy opportunities to experience success
22 (HOPES)-healthy families Iowa (HFI) program established
23 pursuant to section 135.106. The funding shall be
24 distributed to renew the grants that were provided
25 to the grantees that operated the program during the
26 fiscal year ending June 30, 2012.

27 0b. (1) In order to implement the legislative
28 intent stated in sections 135.106 and 256I.9, that
29 priority for home visitation program funding be given
30 to programs using evidence-based or promising models
31 for home visitation, it is the intent of the general
32 assembly to phase-in the funding priority as follows:

33 (a) By July 1, 2013, 25 percent of state
34 funds expended for home visiting programs are for
35 evidence-based or promising program models.

36 (b) By July 1, 2014, 50 percent of state
37 funds expended for home visiting programs are for
38 evidence-based or promising program models.

39 (c) By July 1, 2015, 75 percent of state
40 funds expended for home visiting programs are for
41 evidence-based or promising program models.

42 (d) By July 1, 2016, 90 percent of state
43 funds expended for home visiting programs are for
44 evidence-based or promising program models. The
45 remaining 10 percent of funds may be used for
46 innovative program models that do not yet meet the
47 definition of evidence-based or promising programs.

48 (2) For the purposes of this lettered paragraph,
49 unless the context otherwise requires:

50 (a) "Evidence-based program" means a program that

1 is based on scientific evidence demonstrating that
2 the program model is effective. An evidence-based
3 program shall be reviewed onsite and compared to
4 program model standards by the model developer or the
5 developer's designee at least every five years to
6 ensure that the program continues to maintain fidelity
7 with the program model. The program model shall have
8 had demonstrated significant and sustained positive
9 outcomes in an evaluation utilizing a well-designed and
10 rigorous randomized controlled research design or a
11 quasi-experimental research design, and the evaluation
12 results shall have been published in a peer-reviewed
13 journal.

14 (b) "Family support programs" includes group-based
15 parent education or home visiting programs that are
16 designed to strengthen protective factors, including
17 parenting skills, increasing parental knowledge of
18 child development, and increasing family functioning
19 and problem solving skills. A family support program
20 may be used as an early intervention strategy to
21 improve birth outcomes, parental knowledge, family
22 economic success, the home learning environment, family
23 and child involvement with others, and coordination
24 with other community resources. A family support
25 program may have a specific focus on preventing child
26 maltreatment or ensuring children are safe, healthy,
27 and ready to succeed in school.

28 (c) "Promising program" means a program that meets
29 all of the following requirements:

30 (i) The program conforms to a clear, consistent
31 family support model that has been in existence for at
32 least three years.

33 (ii) The program is grounded in relevant
34 empirically-based knowledge.

35 (iii) The program is linked to program-determined
36 outcomes.

37 (iv) The program is associated with a national
38 or state organization that either has comprehensive
39 program standards that ensure high-quality service
40 delivery and continuous program quality improvement
41 or the program model has demonstrated through the
42 program's benchmark outcomes that the program has
43 achieved significant positive outcomes equivalent
44 to those achieved by program models with published
45 significant and sustained results in a peer-reviewed
46 journal.

47 (v) The program has been awarded the Iowa family
48 support credential and has been reviewed onsite
49 at least every five years to ensure the program's
50 adherence to the Iowa family support standards approved

1 by the early childhood Iowa state board created in
2 section 256I.3 or a comparable set of standards. The
3 onsite review is completed by an independent review
4 team that is not associated with the program or the
5 organization administering the program.

6 (3) (a) The data reporting requirements applicable
7 to the HOPES-HFI program services shall include the
8 requirements adopted by the early childhood Iowa state
9 board pursuant to section 256I.4 for the family support
10 programs targeted to families expecting a child or
11 with newborn and infant children through age five and
12 funded through the state board. The department of
13 public health may specify additional data reporting
14 requirements for the HOPES-HFI program services.
15 The HOPES-HFI program services shall be required to
16 participate in a state administered internet-based
17 data collection system by July 1, 2013. The annual
18 reporting concerning the HOPES-HFI program services
19 shall include program outcomes beginning with the 2015
20 report.

21 (b) The data on families served that is collected
22 by the HOPES-HFI program shall include but is not
23 limited to basic demographic information, services
24 received, funding utilized, and program outcomes for
25 the children and families served.

26 (c) The HOPES-HFI program shall work with the early
27 childhood Iowa state board in the state board's efforts
28 to identify minimum competency standards for the
29 employees and supervisors of family support programs
30 funded. The HOPES-HFI program, along with the state
31 board, shall submit recommendations concerning the
32 standards to the governor and general assembly on or
33 before January 1, 2014.

34 (d) On or before January 1, 2013, the HOPES-HFI
35 program shall adopt criminal and child abuse record
36 check requirements for the employees and supervisors of
37 family support programs funded through the program.

38 (e) The HOPES-HFI program shall work with the early
39 childhood Iowa state board in the state board's efforts
40 to develop a plan to implement a coordinated intake and
41 referral process for publicly funded family support
42 programs in order to engage the families expecting a
43 child or with newborn and infant children through age
44 five in all communities in the state by July 1, 2015.

45 b. Of the funds appropriated in this subsection,
46 ~~\$164,942~~ \$329,885 shall be used to continue to address
47 the healthy mental development of children from birth
48 through five years of age through local evidence-based
49 strategies that engage both the public and private
50 sectors in promoting healthy development, prevention,

1 and treatment for children. The department shall work
2 with the department of human services, Iowa Medicaid
3 enterprise, to develop a plan to secure matching
4 medical assistance program funding to provide services
5 under this paragraph, which may include a per member
6 per month payment to reimburse the care coordination
7 and community outreach services component that links
8 young children and their families with identified
9 service needs.

10 c. Of the funds appropriated in this subsection,
11 ~~\$15,798~~ \$31,597 shall be distributed to a statewide
12 dental carrier to provide funds to continue the donated
13 dental services program patterned after the projects
14 developed by the lifeline network to provide dental
15 services to indigent elderly and disabled individuals.

16 d. Of the funds appropriated in this subsection,
17 ~~\$56,338~~ \$112,677 shall be used for childhood obesity
18 prevention.

19 e. Of the funds appropriated in this subsection,
20 ~~\$81,880~~ \$163,760 shall be used to provide audiological
21 services and hearing aids for children. The department
22 may enter into a contract to administer this paragraph.

23 f. The amount appropriated in this subsection
24 reflects a reduction in expenditures for office
25 supplies, purchases of equipment, office equipment,
26 printing and binding, and marketing, that shall
27 be applied equitably to the programs under this
28 subsection.

29 3. CHRONIC CONDITIONS

30 For serving individuals identified as having chronic
31 conditions or special health care needs, and for not
32 more than the following full-time equivalent positions:

33	\$	<u>1,680,828</u>
34		<u>3,424,366</u>
35	FTEs	4.00

36 a. Of the funds appropriated in this subsection,
37 ~~\$80,291~~ \$160,582 shall be used for grants to individual
38 patients who have phenylketonuria (PKU) to assist with
39 the costs of necessary special foods.

40 b. Of the funds appropriated in this subsection,
41 ~~\$241,800~~ \$483,600 is allocated for continuation of
42 the contracts for resource facilitator services in
43 accordance with section 135.22B, subsection 9, and
44 for brain injury training services and recruiting of
45 service providers to increase the capacity within this
46 state to address the needs of individuals with brain
47 injuries and such individuals' families.

48 c. Of the funds appropriated in this subsection,
49 ~~\$249,437~~ \$498,874 shall be used as additional funding
50 to leverage federal funding through the federal Ryan

1 White Care Act, Tit. II, AIDS drug assistance program
2 supplemental drug treatment grants.

3 d. Of the funds appropriated in this subsection,
4 ~~\$15,627~~ \$50,000 shall be used for the public purpose of
5 providing a grant to an existing national-affiliated
6 organization to provide education, client-centered
7 programs, and client and family support for people
8 living with epilepsy and their families.

9 e. Of the funds appropriated in this subsection,
10 ~~\$394,151~~ \$788,303 shall be used for child health
11 specialty clinics.

12 f. Of the funds appropriated in this subsection,
13 ~~\$248,533~~ \$497,065 shall be used for the comprehensive
14 cancer control program to reduce the burden of cancer
15 in Iowa through prevention, early detection, effective
16 treatment, and ensuring quality of life. Of the funds
17 allocated in this lettered paragraph, ~~\$75,000~~ \$250,000
18 shall be used to support a melanoma research symposium,
19 a melanoma biorepository and registry, basic and
20 translational melanoma research, and clinical trials.

21 g. Of the funds appropriated in this subsection,
22 ~~\$63,225~~ \$126,450 shall be used for cervical and colon
23 cancer screening.

24 h. Of the funds appropriated in this subsection,
25 ~~\$264,417~~ \$528,834 shall be used for the center for
26 congenital and inherited disorders.

27 i. Of the funds appropriated in this subsection,
28 ~~\$64,968~~ \$100,000 shall be used for the prescription
29 drug donation repository program created in chapter
30 135M.

31 j. No later than December 15, 2012, the department
32 of public health, in collaboration with the department
33 of education and other interested parties, shall
34 develop training guidelines for the management of
35 chronic conditions that affect children to be made
36 available to public schools and accredited nonpublic
37 schools throughout the state.

38 k. The amount appropriated in this subsection
39 reflects a reduction in expenditures for office
40 supplies, purchases of equipment, office equipment,
41 printing and binding, and marketing, that shall
42 be applied equitably to the programs under this
43 subsection.

44 4. COMMUNITY CAPACITY

45 For strengthening the health care delivery system at
46 the local level, and for not more than the following
47 full-time equivalent positions:

48	\$	2,117,583
49		3,788,859
50	FTEs	14.00

1 a. Of the funds appropriated in this subsection,
2 ~~\$50,000~~ \$100,000 is allocated for a child vision
3 screening program implemented through the university of
4 Iowa hospitals and clinics in collaboration with early
5 childhood Iowa areas.

6 b. Of the funds appropriated in this subsection,
7 ~~\$55,654~~ \$111,308 is allocated for continuation of an
8 initiative implemented at the university of Iowa and
9 ~~\$50,246~~ \$100,493 is allocated for continuation of an
10 initiative at the state mental health institute at
11 Cherokee to expand and improve the workforce engaged in
12 mental health treatment and services. The initiatives
13 shall receive input from the university of Iowa, the
14 department of human services, the department of public
15 health, and the mental health and disability services
16 commission to address the focus of the initiatives.

17 c. Of the funds appropriated in this subsection,
18 ~~\$585,745~~ \$1,171,491 shall be used for essential public
19 health services that promote healthy aging throughout
20 the lifespan, contracted through a formula for local
21 boards of health, to enhance health promotion and
22 disease prevention services.

23 d. Of the funds appropriated in this section,
24 ~~\$60,908~~ \$100,000 shall be deposited in the governmental
25 public health system fund created in section 135A.8 to
26 be used for the purposes of the fund.

27 e. Of the funds appropriated in this subsection,
28 ~~\$72,271~~ \$144,542 shall be used for the mental health
29 professional shortage area program implemented pursuant
30 to section 135.80.

31 f. Of the funds appropriated in this subsection,
32 ~~\$19,131~~ \$38,263 shall be used for a grant to a
33 statewide association of psychologists that is
34 affiliated with the American psychological association
35 to be used for continuation of a program to rotate
36 intern psychologists in placements in urban and rural
37 mental health professional shortage areas, as defined
38 in section ~~135.80~~ 135.180.

39 g. Of the funds appropriated in this subsection,
40 the following amounts shall be allocated to the Iowa
41 collaborative safety net provider network established
42 pursuant to section 135.153 to be used for the purposes
43 designated. The following amounts allocated under
44 this lettered paragraph shall be distributed to
45 the specified provider and shall not be reduced for
46 administrative or other costs prior to distribution:

- 47 (1) For distribution to the Iowa primary care
- 48 association for statewide coordination of the Iowa
- 49 collaborative safety net provider network:
- 50 \$ 66,290

1 70,000

2 (2) For distribution to the local boards of health

3 that provide direct services for pilot programs in

4 three counties to assist patients in determining an

5 appropriate medical home:

6 \$ 38,804

7 77,609

8 (3) For distribution to maternal and child health

9 centers for pilot programs in three counties to assist

10 patients in determining an appropriate medical home:

11 \$ 38,804

12 77,609

13 (4) For distribution to free clinics for necessary

14 infrastructure, statewide coordination, provider

15 recruitment, service delivery, and provision of

16 assistance to patients in determining an appropriate

17 medical home:

18 \$ 62,025

19 124,050

20 (5) For distribution to rural health clinics for

21 necessary infrastructure, statewide coordination,

22 provider recruitment, service delivery, and provision

23 of assistance to patients in determining an appropriate

24 medical home:

25 \$ 55,215

26 110,430

27 (6) For continuation of the safety net provider

28 patient access to specialty health care initiative as

29 described in 2007 Iowa Acts, chapter 218, section 109:

30 \$ 130,000

31 260,000

32 (7) For continuation of the pharmaceutical

33 infrastructure for safety net providers as described in

34 2007 Iowa Acts, chapter 218, section 108:

35 \$ 135,000

36 270,000

37 The Iowa collaborative safety net provider network

38 may continue to distribute funds allocated pursuant to

39 this lettered paragraph through existing contracts or

40 renewal of existing contracts.

41 ~~h. (1) Of the funds appropriated in this~~

42 ~~subsection, \$74,500 shall be used for continued~~

43 ~~implementation of the recommendations of the direct~~

44 ~~care worker task force established pursuant to 2005~~

45 ~~Iowa Acts, chapter 88, based upon the report submitted~~

46 ~~to the governor and the general assembly in December~~

47 ~~2006. The department may use a portion of the funds~~

48 ~~allocated in this lettered paragraph for an additional~~

49 ~~position to assist in the continued implementation.~~

50 ~~i. (1) Of the funds appropriated in this~~

1 subsection, ~~\$65,050~~ shall be used for allocation
2 to an independent statewide direct care worker
3 association under a contract with terms determined by
4 the director of public health relating to education,
5 outreach, leadership development, mentoring, and other
6 initiatives intended to enhance the recruitment and
7 retention of direct care workers in health care and
8 long-term care settings.

9 (2) ~~Of the funds appropriated in this subsection,~~
10 ~~\$29,000~~ shall be used to provide scholarships or
11 other forms of subsidization for direct care worker
12 educational conferences, training, or outreach
13 activities.

14 j. Of the funds appropriated in this subsection,
15 the department may use up to ~~\$29,259~~ \$58,518 for up to
16 one full-time equivalent position to administer the
17 volunteer health care provider program pursuant to
18 section 135.24.

19 k. Of the funds appropriated in this subsection,
20 ~~\$25,000~~ \$50,000 shall be used for a matching dental
21 education loan repayment program to be allocated to a
22 dental nonprofit health service corporation to develop
23 the criteria and implement the loan repayment program.

24 1. The amount appropriated in this subsection
25 reflects a reduction in expenditures for office
26 supplies, purchases of equipment, office equipment,
27 printing and binding, and marketing, that shall
28 be applied equitably to the programs under this
29 subsection.

30 5. HEALTHY AGING

31 To provide public health services that reduce risks
32 and invest in promoting and protecting good health over
33 the course of a lifetime with a priority given to older
34 Iowans and vulnerable populations:

35 \$ 3,648,571
36 7,297,142

37 a. Of the funds appropriated in this subsection,
38 ~~\$1,004,593~~ \$2,009,187 shall be used for local public
39 health nursing services.

40 b. Of the funds appropriated in this subsection,
41 ~~\$2,643,977~~ \$5,287,955 shall be used for home care aide
42 services.

43 6. ENVIRONMENTAL HAZARDS

44 For reducing the public's exposure to hazards in the
45 environment, primarily chemical hazards, and for not
46 more than the following full-time equivalent positions:

47 \$ 406,888
48 803,870
49 FTEs 4.00

50 a. Of the funds appropriated in this subsection,

1 ~~\$272,188~~ \$544,377 shall be used for childhood lead
2 poisoning provisions.

3 b. The amount appropriated in this subsection
4 reflects a reduction in expenditures for office
5 supplies, purchases of equipment, office equipment,
6 printing and binding, and marketing, that shall
7 be applied equitably to the programs under this
8 subsection.

9 7. INFECTIOUS DISEASES

10 For reducing the incidence and prevalence of
11 communicable diseases, and for not more than the
12 following full-time equivalent positions:

13	\$	<u>672,923</u>
14		<u>1,335,155</u>
15	FTEs	<u>4.00</u>

16 The amount appropriated in this subsection reflects
17 a reduction in expenditures for office supplies,
18 purchases of equipment, office equipment, printing and
19 binding, and marketing, that shall be applied equitably
20 to the programs under this subsection.

21 8. PUBLIC PROTECTION

22 For protecting the health and safety of the
23 public through establishing standards and enforcing
24 regulations, and for not more than the following
25 full-time equivalent positions:

26	\$	<u>1,388,116</u>
27		<u>2,693,384</u>
28	FTEs	<u>125.00</u>

29 a. Of the funds appropriated in this subsection,
30 not more than ~~\$235,845~~ \$471,690 shall be credited to
31 the emergency medical services fund created in section
32 135.25. Moneys in the emergency medical services fund
33 are appropriated to the department to be used for the
34 purposes of the fund.

35 b. Of the funds appropriated in this subsection,
36 ~~\$105,309~~ \$210,619 shall be used for sexual violence
37 prevention programming through a statewide organization
38 representing programs serving victims of sexual
39 violence through the department's sexual violence
40 prevention program. The amount allocated in this
41 lettered paragraph shall not be used to supplant
42 funding administered for other sexual violence
43 prevention or victims assistance programs.

44 c. Of the funds appropriated in this subsection,
45 not more than ~~\$218,291~~ \$539,477 shall be used for the
46 state poison control center.

47 d. Of the funds appropriated in this subsection,
48 \$50,000 shall be used for implementation of 2012 Iowa
49 Acts, Senate File 364, if enacted.

50 e. The amount appropriated in this subsection

1 reflects a reduction in expenditures for office
2 supplies, purchases of equipment, office equipment,
3 printing and binding, and marketing, that shall
4 be applied equitably to the programs under this
5 subsection.

6 9. RESOURCE MANAGEMENT

7 For establishing and sustaining the overall
8 ability of the department to deliver services to the
9 public, and for not more than the following full-time
10 equivalent positions:

11	\$	409,777
12		734,500
13	FTEs	7.00

14 The amount appropriated in this subsection reflects
15 a reduction in expenditures for office supplies,
16 purchases of equipment, office equipment, printing and
17 binding, and marketing, that shall be applied equitably
18 to the programs under this subsection.

19 The university of Iowa hospitals and clinics under
20 the control of the state board of regents shall not
21 receive indirect costs from the funds appropriated in
22 this section. The university of Iowa hospitals and
23 clinics billings to the department shall be on at least
24 a quarterly basis.

25 The department shall review and make recommendations
26 for consolidating or eliminating boards, commissions,
27 committees, councils, and other entities within
28 the departmental organization and under the purview
29 of the department to increase efficiencies and
30 reduce duplication. The department shall submit its
31 recommendations for consolidation or elimination to the
32 individuals specified in this Act for submission of
33 reports by December 15, 2012.

34 DIVISION III

35 DEPARTMENT OF VETERANS AFFAIRS

36 Sec. 3. 2011 Iowa Acts, chapter 129, section 115,
37 is amended to read as follows:

38 SEC. 115. DEPARTMENT OF VETERANS AFFAIRS. There
39 is appropriated from the general fund of the state to
40 the department of veterans affairs for the fiscal year
41 beginning July 1, 2012, and ending June 30, 2013, the
42 following amounts, or so much thereof as is necessary,
43 to be used for the purposes designated:

44 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

45 For salaries, support, maintenance, and
46 miscellaneous purposes, including the war orphans
47 educational assistance fund created in section
48 35.8, and for not more than the following full-time
49 equivalent positions:

50	\$	499,416
----------	----	---------

1
2 FTEs 1,025,819
3 16.34

3 The executive council shall consult with
4 knowledgeable persons in reviewing the return on
5 investment of the moneys in the veterans trust fund
6 and shall submit findings and recommendations for
7 improving the return to the individuals specified in
8 this division of this Act for submission of reports by
9 December 17, 2012.

10 2. IOWA VETERANS HOME

11 For salaries, support, maintenance, and
12 miscellaneous purposes:

13 \$ 4,476,075
14 8,775,714

15 a. The Iowa veterans home billings involving the
16 department of human services shall be submitted to the
17 department on at least a monthly basis.

18 b. If there is a change in the employer of
19 employees providing services at the Iowa veterans home
20 under a collective bargaining agreement, such employees
21 and the agreement shall be continued by the successor
22 employer as though there had not been a change in
23 employer.

24 c. Within available resources and in conformance
25 with associated state and federal program eligibility
26 requirements, the Iowa veterans home may implement
27 measures to provide financial assistance to or
28 on behalf of veterans or their spouses who are
29 participating in the community reentry program.

30 d. The Iowa veterans home expenditure report
31 shall be submitted monthly to the legislative services
32 agency.

33 e. The funds appropriated in this subsection
34 to the Iowa veterans home that remain available for
35 expenditure for the succeeding fiscal year pursuant to
36 section 35D.18, subsection 5, shall be distributed to
37 be used in the succeeding fiscal year in accordance
38 with this lettered paragraph. The first \$500,000 shall
39 remain available to be used for the purposes of the
40 Iowa veterans home. On or before October 15, 2013, the
41 department of management shall transfer the remaining
42 balance to the veterans trust fund created in section
43 35A.13.

44 f. The amount appropriated in this subsection
45 reflects a reduction in expenditures for office
46 supplies, purchases of equipment, office equipment,
47 printing and binding, and marketing, that shall
48 be applied equitably to the programs under this
49 subsection.

50 3. STATE EDUCATIONAL ASSISTANCE — CHILDREN OF

1 DECEASED VETERANS
 2 For provision of educational assistance pursuant to
 3 section 35.9:
 4 \$ 6,208
 5 12,416

6 4. HOME OWNERSHIP ASSISTANCE PROGRAM
 7 For transfer to the Iowa finance authority for the
 8 continuation of the home ownership assistance program
 9 for persons who are or were eligible members of the
 10 armed forces of the United States, pursuant to section
 11 16.54:
 12 \$ 1,600,000

13 Sec. 4. 2011 Iowa Acts, chapter 129, section 116,
 14 is amended to read as follows:

15 SEC. 116. LIMITATION OF COUNTY
 16 COMMISSION OF VETERANS AFFAIRS FUND STANDING
 17 APPROPRIATIONS. Notwithstanding the standing
 18 appropriation in the following designated section for
 19 the fiscal year beginning July 1, 2012, and ending June
 20 30, 2013, the amounts appropriated from the general
 21 fund of the state pursuant to that section for the
 22 following designated purposes shall not exceed the
 23 following amount:
 24 For the county commissions of veterans affairs fund
 25 under section 35A.16:
 26 \$ 495,000
 27 990,000

28 DIVISION IV

29 DEPARTMENT OF HUMAN SERVICES

30 Sec. 5. 2011 Iowa Acts, chapter 129, section 117,
 31 is amended to read as follows:

32 SEC. 117. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES
 33 BLOCK GRANT. There is appropriated from the fund
 34 created in section 8.41 to the department of human
 35 services for the fiscal year beginning July 1, 2012,
 36 and ending June 30, 2013, from moneys received under
 37 the federal temporary assistance for needy families
 38 (TANF) block grant pursuant to the federal Personal
 39 Responsibility and Work Opportunity Reconciliation
 40 Act of 1996, Pub. L. No. 104-193, and successor
 41 legislation, and from moneys received under the
 42 emergency contingency fund for temporary assistance
 43 for needy families state program established pursuant
 44 to the federal American Recovery and Reinvestment
 45 Act of 2009, Pub. L. No. 111-5 § 2101, and successor
 46 legislation, the following amounts, or so much
 47 thereof as is necessary, to be used for the purposes
 48 designated:

49 1. To be credited to the family investment program
 50 account and used for assistance under the family

1 investment program under chapter 239B:
2 \$ ~~10,750,369~~
3 19,790,365

4 2. To be credited to the family investment program
5 account and used for the job opportunities and
6 basic skills (JOBS) program and implementing family
7 investment agreements in accordance with chapter 239B:
8 \$ ~~6,205,764~~
9 12,411,528

10 3. To be used for the family development and
11 self-sufficiency grant program in accordance with
12 section 216A.107:
13 \$ ~~1,449,490~~
14 2,898,980

15 Notwithstanding section 8.33, moneys appropriated in
16 this subsection that remain unencumbered or unobligated
17 at the close of the fiscal year shall not revert but
18 shall remain available for expenditure for the purposes
19 designated until the close of the succeeding fiscal
20 year. However, unless such moneys are encumbered or
21 obligated on or before September 30, 2013, the moneys
22 shall revert.

23 4. For field operations:
24 \$ ~~15,648,116~~
25 31,296,232

26 5. For general administration:
27 \$ ~~1,872,000~~
28 3,744,000

29 6. For state child care assistance:
30 \$ ~~8,191,343~~
31 16,382,687

32 The funds appropriated in this subsection shall be
33 transferred to the child care and development block
34 grant appropriation made pursuant to 2011 Iowa Acts,
35 chapter 126, section 32, by the Eighty-fourth General
36 Assembly, ~~2012~~ 2011 Session, for the federal fiscal
37 year beginning October 1, 2012, and ending September
38 30, 2013. Of this amount, ~~\$100,000~~ \$200,000 shall
39 be used for provision of educational opportunities
40 to registered child care home providers in order to
41 improve services and programs offered by this category
42 of providers and to increase the number of providers.
43 The department may contract with institutions of higher
44 education or child care resource and referral centers
45 to provide the educational opportunities. Allowable
46 administrative costs under the contracts shall not
47 exceed 5 percent. The application for a grant shall
48 not exceed two pages in length.

49 7. For distribution to counties for state case
50 services for persons with mental health and illness,

1 an intellectual disability, or a developmental
 2 disabilities community services disability in
 3 accordance with section 331.440:
 4 \$ 2,447,026
 5 4,894,052
 6 8. For child and family services:
 7 \$ 16,042,215
 8 32,084,430
 9 9. For child abuse prevention grants:
 10 \$ 62,500
 11 125,000
 12 10. For pregnancy prevention grants ~~on the~~
 13 ~~condition that family planning services are funded:~~
 14 \$ 965,033
 15 1,930,067
 16 Pregnancy prevention grants shall be awarded to
 17 programs in existence on or before July 1, 2012, if the
 18 programs have demonstrated positive outcomes. Grants
 19 shall be awarded to pregnancy prevention programs
 20 which are developed after July 1, 2012, if the programs
 21 are based on existing models that have demonstrated
 22 positive outcomes. Grants shall comply with the
 23 requirements provided in 1997 Iowa Acts, chapter
 24 208, section 14, subsections 1 and 2, including the
 25 requirement that grant programs must emphasize sexual
 26 abstinence. Priority in the awarding of grants shall
 27 be given to programs that serve areas of the state
 28 which demonstrate the highest percentage of unplanned
 29 pregnancies of females of childbearing age within the
 30 geographic area to be served by the grant.
 31 11. For technology needs and other resources
 32 necessary to meet federal welfare reform reporting,
 33 tracking, and case management requirements:
 34 \$ 518,593
 35 1,037,186
 36 12. To be credited to the state child care
 37 assistance appropriation made in this section to be
 38 used for funding of community-based early childhood
 39 programs targeted to children from birth through five
 40 years of age developed by early childhood Iowa areas as
 41 provided in section 256I.11:
 42 \$ 3,175,000
 43 6,350,000
 44 The department shall transfer TANF block grant
 45 funding appropriated and allocated in this subsection
 46 to the child care and development block grant
 47 appropriation in accordance with federal law as
 48 necessary to comply with the provisions of this
 49 subsection.
 50 13. a. Notwithstanding any provision to the

1 contrary, including but not limited to requirements
 2 in section 8.41 or provisions in 2011 or 2012 Iowa
 3 Acts regarding the receipt and appropriation of
 4 federal block grants, federal funds from the emergency
 5 ~~contingency fund for temporary assistance for needy~~
 6 ~~families state program established pursuant to the~~
 7 ~~federal American Recovery and Reinvestment Act of 2009,~~
 8 ~~Pub. L. No. 111-5 § 2101, block grant received by the~~
 9 ~~state during the fiscal year beginning July 1, 2011,~~
 10 ~~and ending June 30, 2012, not otherwise appropriated~~
 11 ~~in this section and remaining available as of for~~
 12 ~~the fiscal year beginning July 1, 2012, and received~~
 13 ~~by the state during the fiscal year beginning July~~
 14 ~~1, 2012, and ending June 30, 2013, are appropriated~~
 15 ~~to the department of human services to the extent as~~
 16 ~~may be necessary to be used in the following priority~~
 17 ~~order: the family investment program for the fiscal~~
 18 ~~year and for state child care assistance program~~
 19 ~~payments for individuals enrolled in the family~~
 20 ~~investment program who are employed. The federal funds~~
 21 ~~appropriated in this paragraph "a" shall be expended~~
 22 ~~only after all other funds appropriated in subsection 1~~
 23 ~~for the assistance under the family investment program~~
 24 ~~under chapter 239B have been expended.~~

25 b. The department shall, on a quarterly basis,
 26 advise the legislative services agency and department
 27 of management of the amount of funds appropriated in
 28 this subsection that was expended in the prior quarter.

29 14. Of the amounts appropriated in this section,
 30 ~~\$6,481,004~~ \$12,962,008 for the fiscal year beginning
 31 July 1, 2012, shall be transferred to the appropriation
 32 of the federal social services block grant made for
 33 that fiscal year.

34 15. For continuation of the program allowing the
 35 department to maintain categorical eligibility for the
 36 food assistance program as required under the section
 37 of this division relating to the family investment
 38 account:

39 \$ 73,036
 40 25,000

41 16. The department may transfer funds allocated
 42 in this section to the appropriations made in this
 43 division of this Act for general administration and
 44 field operations for resources necessary to implement
 45 and operate the services referred to in this section
 46 and those funded in the appropriation made in this
 47 division of this Act for the family investment program
 48 from the general fund of the state.

49 Sec. 6. 2011 Iowa Acts, chapter 129, section 118,
 50 is amended to read as follows:

1 SEC. 118. FAMILY INVESTMENT PROGRAM ACCOUNT.

2 1. Moneys credited to the family investment program
3 (FIP) account for the fiscal year beginning July
4 1, 2012, and ending June 30, 2013, shall be used to
5 provide assistance in accordance with chapter 239B.

6 2. The department may use a portion of the moneys
7 credited to the FIP account under this section as
8 necessary for salaries, support, maintenance, and
9 miscellaneous purposes.

10 3. The department may transfer funds allocated in
11 this section to the appropriations in this division
12 of this Act for general administration and field
13 operations for resources necessary to implement and
14 operate the services referred to in this section and
15 those funded in the appropriation made in this division
16 of this Act for the family investment program from the
17 general fund of the state.

18 4. Moneys appropriated in this division of this Act
19 and credited to the FIP account for the fiscal year
20 beginning July 1, 2012, and ending June 30, 2013, are
21 allocated as follows:

22 a. To be retained by the department of human
23 services to be used for coordinating with the
24 department of human rights to more effectively serve
25 participants in the FIP program and other shared
26 clients and to meet federal reporting requirements
27 under the federal temporary assistance for needy
28 families block grant:
29 \$ 10,000
30 20,000

31 b. To the department of human rights for staffing,
32 administration, and implementation of the family
33 development and self-sufficiency grant program in
34 accordance with section 216A.107:
35 \$ 2,671,417
36 5,342,834

37 (1) Of the funds allocated for the family
38 development and self-sufficiency grant program in this
39 lettered paragraph, not more than 5 percent of the
40 funds shall be used for the administration of the grant
41 program.

42 (2) The department of human rights may continue to
43 implement the family development and self-sufficiency
44 grant program statewide during fiscal year 2012-2013.

45 c. For the diversion subaccount of the FIP account:
46 \$ 849,200
47 1,698,400

48 A portion of the moneys allocated for the subaccount
49 may be used for field operations salaries, data
50 management system development, and implementation

1 costs and support deemed necessary by the director of
2 human services in order to administer the FIP diversion
3 program.

4 d. For the food stamp employment and training
5 program:

6 \$ ~~33,294~~
7 66,588

8 (1) The department shall amend the food stamp
9 employment and training state plan in order to maximize
10 to the fullest extent permitted by federal law the
11 use of the 50-50 match provisions for the claiming
12 of allowable federal matching funds from the United
13 States department of agriculture pursuant to the
14 federal food stamp employment and training program for
15 providing education, employment, and training services
16 for eligible food assistance program participants,
17 including but not limited to related dependent care and
18 transportation expenses.

19 (2) The department shall continue the categorical
20 federal food assistance program eligibility at 160
21 percent of the federal poverty level and continue to
22 eliminate the asset test from eligibility requirements,
23 consistent with federal food assistance program
24 requirements. The department shall include as many
25 food assistance households as is allowed by federal
26 law. The eligibility provisions shall conform to all
27 federal requirements including requirements addressing
28 individuals who are incarcerated or otherwise
29 ineligible.

30 e. For the JOBS program:

31 \$ ~~10,117,952~~
32 20,235,905

33 5. Of the child support collections assigned under
34 FIP, an amount equal to the federal share of support
35 collections shall be credited to the child support
36 recovery appropriation made in this division of this
37 Act. Of the remainder of the assigned child support
38 collections received by the child support recovery
39 unit, a portion shall be credited to the FIP account,
40 a portion may be used to increase recoveries, and a
41 portion may be used to sustain cash flow in the child
42 support payments account. If as a consequence of the
43 appropriations and allocations made in this section
44 the resulting amounts are insufficient to sustain
45 cash assistance payments and meet federal maintenance
46 of effort requirements, the department shall seek
47 supplemental funding. If child support collections
48 assigned under FIP are greater than estimated or are
49 otherwise determined not to be required for maintenance
50 of effort, the state share of either amount may be

1 transferred to or retained in the child support payment
2 account.

3 6. The department may adopt emergency rules for
4 the family investment, JOBS, food stamp, and medical
5 assistance programs if necessary to comply with federal
6 requirements.

7 Sec. 7. 2011 Iowa Acts, chapter 129, section 119,
8 is amended to read as follows:

9 SEC. 119. FAMILY INVESTMENT PROGRAM GENERAL

10 FUND. There is appropriated from the general fund of
11 the state to the department of human services for the
12 fiscal year beginning July 1, 2012, and ending June 30,
13 2013, the following amount, or so much thereof as is
14 necessary, to be used for the purpose designated:

15 To be credited to the family investment program
16 (FIP) account and used for family investment program
17 assistance under chapter 239B:

18 \$ ~~25,085,513~~
19 45,286,573

20 1. Of the funds appropriated in this section,
21 ~~\$3,912,188~~ \$7,824,377 is allocated for the JOBS
22 program.

23 2. Of the funds appropriated in this section,
24 ~~\$1,231,927~~ \$2,463,854 is allocated for the family
25 development and self-sufficiency grant program.

26 3. Notwithstanding section 8.39, for the fiscal
27 year beginning July 1, 2012, if necessary to meet
28 federal maintenance of effort requirements or to
29 transfer federal temporary assistance for needy
30 families block grant funding to be used for purposes
31 of the federal social services block grant or to meet
32 cash flow needs resulting from delays in receiving
33 federal funding or to implement, in accordance with
34 this division of this Act, activities currently funded
35 with juvenile court services, county, or community
36 moneys and state moneys used in combination with such
37 moneys, the department of human services may transfer
38 funds within or between any of the appropriations made
39 in this division of this Act and appropriations in law
40 for the federal social services block grant to the
41 department for the following purposes, provided that
42 the combined amount of state and federal temporary
43 assistance for needy families block grant funding for
44 each appropriation remains the same before and after
45 the transfer:

- 46 a. For the family investment program.
- 47 b. For child care assistance.
- 48 c. For child and family services.
- 49 d. For field operations.
- 50 e. For general administration.

1 f. ~~MH/MR/DD/BI community services (local purchase).~~
2 For distribution to counties for state case services
3 for persons with mental illness, an intellectual
4 disability, or a developmental disability in accordance
5 with section 331.440.

6 This subsection shall not be construed to prohibit
7 the use of existing state transfer authority for other
8 purposes. The department shall report any transfers
9 made pursuant to this subsection to the legislative
10 services agency.

11 4. Of the funds appropriated in this section,
12 ~~\$97,839~~ \$195,678 shall be used for continuation of a
13 grant to an Iowa-based nonprofit organization with a
14 history of providing tax preparation assistance to
15 low-income Iowans in order to expand the usage of the
16 earned income tax credit. The purpose of the grant is
17 to supply this assistance to underserved areas of the
18 state.

19 5. The amount appropriated in this section reflects
20 a reduction in expenditures for office supplies,
21 purchases of equipment, office equipment, printing and
22 binding, and marketing, that shall be applied equitably
23 to the programs under this section.

24 6. The department may transfer funds appropriated
25 in this section to the appropriations made in this
26 division of this Act for general administration and
27 field operations as necessary to administer this
28 section and the overall family investment program.

29 Sec. 8. 2011 Iowa Acts, chapter 129, section 120,
30 is amended to read as follows:

31 SEC. 120. CHILD SUPPORT RECOVERY. There is
32 appropriated from the general fund of the state to
33 the department of human services for the fiscal year
34 beginning July 1, 2012, and ending June 30, 2013, the
35 following amount, or so much thereof as is necessary,
36 to be used for the purposes designated:

37 For child support recovery, including salaries,
38 support, maintenance, and miscellaneous purposes, and
39 for not more than the following full-time equivalent
40 positions:
41 \$ ~~6,559,627~~
42 12,549,560
43 FTEs 475.00

44 1. The department shall expend up to ~~\$12,164~~
45 \$24,329, including federal financial participation, for
46 the fiscal year beginning July 1, 2012, for a child
47 support public awareness campaign. The department and
48 the office of the attorney general shall cooperate in
49 continuation of the campaign. The public awareness
50 campaign shall emphasize, through a variety of media

1 activities, the importance of maximum involvement of
2 both parents in the lives of their children as well as
3 the importance of payment of child support obligations.

4 2. Federal access and visitation grant moneys shall
5 be issued directly to private not-for-profit agencies
6 that provide services designed to increase compliance
7 with the child access provisions of court orders,
8 including but not limited to neutral visitation sites
9 and mediation services.

10 3. The appropriation made to the department for
11 child support recovery may be used throughout the
12 fiscal year in the manner necessary for purposes of
13 cash flow management, and for cash flow management
14 purposes the department may temporarily draw more
15 than the amount appropriated, provided the amount
16 appropriated is not exceeded at the close of the fiscal
17 year.

18 4. With the exception of the funding amount
19 specified, the requirements established under 2001
20 Iowa Acts, chapter 191, section 3, subsection 5,
21 paragraph "c", subparagraph (3), shall be applicable
22 to parental obligation pilot projects for the fiscal
23 year beginning July 1, 2012, and ending June 30,
24 2013. Notwithstanding 441 IAC 100.8, providing for
25 termination of rules relating to the pilot projects,
26 the rules shall remain in effect until June 30, 2013.

27 5. The amount appropriated in this section reflects
28 a reduction in expenditures for office supplies,
29 purchases of equipment, office equipment, printing and
30 binding, and marketing.

31 MEDICAL ASSISTANCE PROGRAM

32 Sec. 9. 2011 Iowa Acts, chapter 129, section 122,
33 unnumbered paragraph 2, is amended to read as follows:

34 For medical assistance program reimbursement and
35 associated costs as specifically provided in the
36 reimbursement methodologies in effect on June 30,
37 2012, except as otherwise expressly authorized by
38 law, ~~and consistent with options under federal law and~~
39 ~~regulations:~~

40 \$914,993,421
41 950,526,658

42 Sec. 10. 2011 Iowa Acts, chapter 129, section 122,
43 subsection 1, unnumbered paragraph 1, is amended to
44 read as follows:

45 Iowans support reducing the number of abortions
46 performed in our state. Funds appropriated in this
47 section shall not be used for abortions. For the
48 purposes of this section, "abortion" does not include
49 any of the following:

50 a. The treatment of a woman for a physical

1 disorder, physical injury, or physical illness,
2 including a life-endangering physical condition caused
3 by or arising from the pregnancy itself, that would,
4 as certified by a physician, place the woman in danger
5 of death.

6 b. The treatment of a woman for a spontaneous
7 abortion, commonly known as a miscarriage, when not all
8 of the products of conception are expelled.

9 1A. For an abortion covered under the program,
10 except in the case of a medical emergency, as defined
11 in section 135L.1, for any woman, the physician shall
12 certify both of the following:

13 MEDICAL ASSISTANCE — DISPROPORTIONATE SHARE HOSPITAL

14 Sec. 11. 2011 Iowa Acts, chapter 129, section 122,
15 subsection 11, paragraph a, unnumbered paragraph 1, is
16 amended to read as follows:

17 Of the funds appropriated in this section,
18 ~~\$7,425,684~~ \$7,678,245 is allocated for the state
19 match for a disproportionate share hospital payment
20 of \$19,133,430 to hospitals that meet both of the
21 conditions specified in subparagraphs (1) and (2).
22 In addition, the hospitals that meet the conditions
23 specified shall either certify public expenditures
24 or transfer to the medical assistance program an
25 amount equal to provide the nonfederal share for a
26 disproportionate share hospital payment of \$7,500,000.
27 The hospitals that meet the conditions specified
28 shall receive and retain 100 percent of the total
29 disproportionate share hospital payment of \$26,633,430.

30 MEDICAL ASSISTANCE — IOWACARE TRANSFER

31 Sec. 12. 2011 Iowa Acts, chapter 129, section 122,
32 subsection 13, is amended to read as follows:

33 13. Of the funds appropriated in this section,
34 up to ~~\$4,480,304~~ \$8,684,329 may be transferred to the
35 IowaCare account created in section 249J.24.

36 MEDICAL ASSISTANCE — COST CONTAINMENT STRATEGIES

37 Sec. 13. 2011 Iowa Acts, chapter 129, section 122,
38 subsection 20, paragraphs a and d, are amended to read
39 as follows:

40 a. The department may continue to implement cost
41 containment strategies recommended by the governor, ~~and~~
42 for the fiscal year beginning July 1, 2011, and shall
43 implement new strategies for the fiscal year beginning
44 July 1, 2012, as specified in this division of this
45 2012 Act. It is the intent of the general assembly
46 that the cost containment strategies are implemented
47 only to the extent necessary to achieve projected
48 savings. The department may adopt emergency rules for
49 such implementation.

50 d. If the savings to the medical assistance program

1 for the fiscal year beginning July 1, 2012, exceed
2 the cost, the department may transfer any savings
3 generated for the fiscal year due to medical assistance
4 program cost containment efforts initiated pursuant
5 to 2010 Iowa Acts, chapter 1031, Executive Order No.
6 20, issued December 16, 2009, or cost containment
7 strategies initiated pursuant to this subsection, to
8 the appropriation made in this division of this Act
9 for medical contracts or general administration to
10 defray the increased contract costs associated with
11 implementing such efforts.

12 Sec. 14. 2011 Iowa Acts, chapter 129, section 122,
13 is amended by adding the following new subsections:

14 NEW SUBSECTION. 23. The department shall align
15 reimbursement for prescription drugs administered by a
16 physician to be equivalent to the reimbursement for the
17 same prescription drug when dispensed by a pharmacy.

18 NEW SUBSECTION. 24. The department shall implement
19 a hospital inpatient reimbursement policy to provide
20 for the combining of an original claim for an inpatient
21 stay with a claim for a subsequent inpatient stay when
22 the patient is admitted within seven days of discharge
23 from the original hospital stay for the same condition.

24 NEW SUBSECTION. 25. The department shall
25 transition payment for and administration of services
26 provided by psychiatric medical institutions for
27 children to the Iowa plan.

28 NEW SUBSECTION. 26. The department shall adjust
29 medical assistance reimbursement rates for physician
30 services by applying a site-of-service differential to
31 reflect the difference between the cost of physician
32 services when provided in a health facility setting
33 and the cost of physician services when provided in a
34 physician's office. The adjustment shall be applied
35 in a manner that does not exceed \$1 million in medical
36 assistance program cost savings annually.

37 NEW SUBSECTION. 27. The amount appropriated in
38 this section reflects a reduction in expenditures
39 for office supplies, purchases of equipment, office
40 equipment, printing and binding, and marketing, that
41 shall be applied equitably to the programs under this
42 section.

43 MEDICAL ASSISTANCE FOR EMPLOYED PEOPLE WITH
44 DISABILITIES

45 Sec. 15. 2011 Iowa Acts, chapter 129, section 122,
46 is amended by adding the following new subsection:

47 NEW SUBSECTION. 28. The department of human
48 services shall adopt rules for the Medicaid for
49 employed people with disabilities program to provide
50 that until such time as the department adopts

1 rules, annually, to implement the most recently
2 revised poverty guidelines published by the United
3 States department of health and human services, the
4 calculation of gross income eligibility and premium
5 amounts shall not include any increase in unearned
6 income attributable to a social security cost-of-living
7 adjustment for an individual or member of the
8 individual's family whose unearned income is included
9 in such calculation.

10 OUTPATIENT CLINICAL SERVICE FOR CHILDREN

11 Sec. 16. 2011 Iowa Acts, chapter 129, section 122,
12 is amended by adding the following new subsection:

13 NEW SUBSECTION. 29. a. Of the funds appropriated
14 in this section, not more than \$50,000 shall be used
15 to provide cost-based reimbursement for 100 percent
16 of the reasonable costs for provision of outpatient
17 clinical services for children who are recipients
18 of medical assistance. In order to be eligible for
19 reimbursement under this subsection, a provider shall
20 be an accredited, nonprofit agency that meets all of
21 the following criteria on or before January 1, 2012:

22 (1) Provides clinical outpatient services to
23 children of whom at least 60 percent are recipients of
24 medical assistance.

25 (2) Provides inpatient services licensed under
26 chapter 135H, outpatient services, psychiatric
27 and psychological services, and behavioral health
28 intervention services for children.

29 (3) Directly employs a full-time psychiatrist,
30 psychologist, and licensed therapist.

31 b. The department of human services shall seek
32 federal approval to amend the medical assistance
33 program state plan and shall amend the contract with
34 the department's managed care contractor for behavioral
35 health services under the medical assistance program to
36 provide reimbursement as specified in this subsection.
37 Implementation of this subsection is contingent
38 upon receipt of such federal approval and total
39 reimbursements are limited to the funding allocated
40 under this subsection.

41 c. For the purposes of this subsection, "outpatient
42 services" means psychiatric care, psychological care,
43 and treatment services, but does not include behavioral
44 health intervention services or child welfare
45 services as defined for existing providers under the
46 department's managed care contract for behavioral
47 health services.

48 STATE BALANCING INCENTIVE PAYMENTS PROGRAM

49 Sec. 17. 2011 Iowa Acts, chapter 129, section 122,
50 is amended by adding the following new subsection:

1 NEW SUBSECTION. 30. The funds received through
2 participation in the medical assistance state balancing
3 incentive payments program created pursuant to section
4 10202 of the federal Patient Protection and Affordable
5 Care Act of 2010, Pub. L. No. 111-148 (2010), as
6 amended by the federal Health Care and Education
7 Reconciliation Act of 2010, Pub. L. No. 111-152,
8 shall be used by the department of human services to
9 comply with the requirements of the program including
10 developing a no wrong door single entry point system;
11 providing a conflict-free case management system;
12 providing core standardized assessment instruments;
13 complying with data collection requirements relating to
14 services, quality, and outcomes; meeting the applicable
15 target spending percentage required under the program
16 to rebalance long-term care spending under the medical
17 assistance program between home and community-based
18 services and institution-based services; and for new or
19 expanded medical assistance program non-institutionally
20 based long-term care services and supports.

21 MEDICAL ASSISTANCE — SAME DAY ENCOUNTERS REIMBURSEMENT

22 Sec. 18. 2011 Iowa Acts, chapter 129, section 122,
23 is amended by adding the following new subsection:

24 NEW SUBSECTION. 31. The department of human
25 services shall provide for reimbursement of federally
26 qualified health centers for medical, behavioral, and
27 dental encounters occurring on the same day to support
28 the patient-centered medical home model.

29 Sec. 19. 2011 Iowa Acts, chapter 129, section 123,
30 is amended to read as follows:

31 SEC. 123. MEDICAL CONTRACTS. There is appropriated
32 from the general fund of the state to the department of
33 human services for the fiscal year beginning July 1,
34 2012, and ending June 30, 2013, the following amount,
35 or so much thereof as is necessary, to be used for the
36 purpose designated:

37 For medical contracts:
38 \$ ~~5,453,728~~
39 7,117,155

40 1. The department of inspections and appeals
41 shall provide all state matching funds for survey and
42 certification activities performed by the department
43 of inspections and appeals. The department of human
44 services is solely responsible for distributing the
45 federal matching funds for such activities.

46 2. Of the funds appropriated in this section,
47 ~~\$25,000~~ \$50,000 shall be used for continuation of home
48 and community-based services waiver quality assurance
49 programs, including the review and streamlining of
50 processes and policies related to oversight and quality

1 management to meet state and federal requirements.

2 3. Of the amount appropriated in this section, up
3 to \$200,000 may be transferred to the appropriation for
4 general administration in this division of this Act to
5 be used for additional full-time equivalent positions
6 in the development of key health initiatives such as
7 cost containment, development and oversight of managed
8 care programs, and development of health strategies
9 targeted toward improved quality and reduced costs in
10 the Medicaid program.

11 4. The amount appropriated in this section reflects
12 a reduction in expenditures for office supplies,
13 purchases of equipment, office equipment, printing and
14 binding, and marketing budgeted for under this section.

15 Sec. 20. 2011 Iowa Acts, chapter 129, section 124,
16 is amended to read as follows:

17 SEC. 124. STATE SUPPLEMENTARY ASSISTANCE.

18 1. There is appropriated from the general fund of
19 the state to the department of human services for the
20 fiscal year beginning July 1, 2012, and ending June 30,
21 2013, the following amount, or so much thereof as is
22 necessary, to be used for the purpose designated:

23 For the state supplementary assistance program:
24 \$ ~~8,425,373~~
25 15,450,747

26 2. The department shall increase the personal needs
27 allowance for residents of residential care facilities
28 by the same percentage and at the same time as federal
29 supplemental security income and federal social
30 security benefits are increased due to a recognized
31 increase in the cost of living. The department may
32 adopt emergency rules to implement this subsection.

33 3. If during the fiscal year beginning July 1,
34 2012, the department projects that state supplementary
35 assistance expenditures for a calendar year will not
36 meet the federal pass-through requirement specified
37 in Tit. XVI of the federal Social Security Act,
38 section 1618, as codified in 42 U.S.C. § 1382g,
39 the department may take actions including but not
40 limited to increasing the personal needs allowance
41 for residential care facility residents and making
42 programmatic adjustments or upward adjustments of the
43 residential care facility or in-home health-related
44 care reimbursement rates prescribed in this division of
45 this Act to ensure that federal requirements are met.
46 In addition, the department may make other programmatic
47 and rate adjustments necessary to remain within the
48 amount appropriated in this section while ensuring
49 compliance with federal requirements. The department
50 may adopt emergency rules to implement the provisions

1 of this subsection.

2 Sec. 21. 2011 Iowa Acts, chapter 129, section 125,
3 is amended to read as follows:

4 SEC. 125. CHILDREN'S HEALTH INSURANCE PROGRAM.

5 1. There is appropriated from the general fund of
6 the state to the department of human services for the
7 fiscal year beginning July 1, 2012, and ending June 30,
8 2013, the following amount, or so much thereof as is
9 necessary, to be used for the purpose designated:

10 For maintenance of the healthy and well kids in Iowa
11 (hawk-i) program pursuant to chapter 514I, including
12 supplemental dental services, for receipt of federal
13 financial participation under Tit. XXI of the federal
14 Social Security Act, which creates the children's
15 health insurance program:

16 \$ ~~16,403,051~~
17 36,806,102

18 2. Of the funds appropriated in this section,
19 ~~\$64,475~~\$141,450 is allocated for continuation of the
20 contract for outreach with the department of public
21 health.

22 Sec. 22. 2011 Iowa Acts, chapter 129, section 126,
23 is amended to read as follows:

24 SEC. 126. CHILD CARE ASSISTANCE. There is
25 appropriated from the general fund of the state to
26 the department of human services for the fiscal year
27 beginning July 1, 2012, and ending June 30, 2013, the
28 following amount, or so much thereof as is necessary,
29 to be used for the purpose designated:

30 For child care programs:

31 \$ ~~26,618,831~~
32 61,064,552

33 1. Of the funds appropriated in this section,
34 ~~\$25,948,041~~ \$59,695,125 shall be used for state child
35 care assistance in accordance with section 237A.13.

36 2. Nothing in this section shall be construed or
37 is intended as or shall imply a grant of entitlement
38 for services to persons who are eligible for assistance
39 due to an income level consistent with the waiting
40 list requirements of section 237A.13. Any state
41 obligation to provide services pursuant to this section
42 is limited to the extent of the funds appropriated in
43 this section.

44 3. Of the funds appropriated in this section,
45 ~~\$216,226~~ \$432,453 is allocated for the statewide
46 program for child care resource and referral services
47 under section 237A.26. A list of the registered and
48 licensed child care facilities operating in the area
49 served by a child care resource and referral service
50 shall be made available to the families receiving state

1 child care assistance in that area.

2 4. Of the funds appropriated in this section,
3 ~~\$468,487~~ \$936,974 is allocated for child care quality
4 improvement initiatives including but not limited to
5 the voluntary quality rating system in accordance with
6 section 237A.30.

7 5. The department may use any of the funds
8 appropriated in this section as a match to obtain
9 federal funds for use in expanding child care
10 assistance and related programs. For the purpose of
11 expenditures of state and federal child care funding,
12 funds shall be considered obligated at the time
13 expenditures are projected or are allocated to the
14 department's service areas. Projections shall be based
15 on current and projected caseload growth, current and
16 projected provider rates, staffing requirements for
17 eligibility determination and management of program
18 requirements including data systems management,
19 staffing requirements for administration of the
20 program, contractual and grant obligations and any
21 transfers to other state agencies, and obligations for
22 decategorization or innovation projects.

23 6. A portion of the state match for the federal
24 child care and development block grant shall be
25 provided as necessary to meet federal matching
26 funds requirements through the state general fund
27 appropriation made for child development grants and
28 other programs for at-risk children in section 279.51.

29 7. If a uniform reduction ordered by the governor
30 under section 8.31 or other operation of law,
31 transfer, or federal funding reduction reduces the
32 appropriation made in this section for the fiscal year,
33 the percentage reduction in the amount paid out to or
34 on behalf of the families participating in the state
35 child care assistance program shall be equal to or
36 less than the percentage reduction made for any other
37 purpose payable from the appropriation made in this
38 section and the federal funding relating to it. The
39 percentage reduction to the other allocations made in
40 this section shall be the same as the uniform reduction
41 ordered by the governor or the percentage change of the
42 federal funding reduction, as applicable. If there is
43 an unanticipated increase in federal funding provided
44 for state child care assistance, the entire amount
45 of the increase shall be used for state child care
46 assistance payments. If the appropriations made for
47 purposes of the state child care assistance program for
48 the fiscal year are determined to be insufficient, it
49 is the intent of the general assembly to appropriate
50 sufficient funding for the fiscal year in order to

1 avoid establishment of waiting list requirements.
 2 8. Notwithstanding section 8.33, moneys
 3 ~~appropriated in this section or advanced for purposes~~
 4 ~~of the programs developed by early childhood Iowa~~
 5 ~~areas, advanced for purposes of wraparound child care,~~
 6 ~~or received from the federal appropriations made for~~
 7 ~~the purposes of this section that remain unencumbered~~
 8 ~~or unobligated at the close of the fiscal year shall~~
 9 ~~not revert to any fund but shall remain available for~~
 10 ~~expenditure for the purposes designated until the close~~
 11 ~~of the succeeding fiscal year.~~

12 9. The amount appropriated in this section reflects
 13 a reduction in expenditures for office supplies,
 14 purchases of equipment, office equipment, printing and
 15 binding, and marketing, that shall be applied equitably
 16 to the programs under this section.

17 Sec. 23. 2011 Iowa Acts, chapter 129, section 127,
 18 is amended to read as follows:

19 SEC. 127. JUVENILE INSTITUTIONS. There is
 20 appropriated from the general fund of the state to
 21 the department of human services for the fiscal year
 22 beginning July 1, 2012, and ending June 30, 2013, the
 23 following amounts, or so much thereof as is necessary,
 24 to be used for the purposes designated:

25 1. For operation of the Iowa juvenile home at
 26 Toledo and for salaries, support, maintenance, and
 27 miscellaneous purposes, and for not more than the
 28 following full-time equivalent positions:
 29 \$ 4,129,125
 30 8,297,765
 31 FTEs 114.00

32 The amount appropriated in this subsection reflects
 33 a reduction in expenditures for office supplies,
 34 purchases of equipment, office equipment, printing
 35 and binding, and marketing budgeted for under this
 36 subsection.

37 2. For operation of the state training school at
 38 Eldora and for salaries, support, maintenance, and
 39 miscellaneous purposes, and for not more than the
 40 following full-time equivalent positions:
 41 \$ 5,319,338
 42 10,680,143
 43 FTEs 164.30

44 a. Of the funds appropriated in this subsection,
 45 ~~\$45,575~~ \$91,150 shall be used for distribution
 46 to licensed classroom teachers at this and other
 47 institutions under the control of the department of
 48 human services based upon the average student yearly
 49 enrollment at each institution as determined by the
 50 department.

1 b. The amount appropriated in this subsection
2 reflects a reduction in expenditures for office
3 supplies, purchases of equipment, office equipment,
4 printing and binding, and marketing budgeted for under
5 this subsection.

6 3. A portion of the moneys appropriated in this
7 section shall be used by the state training school and
8 by the Iowa juvenile home for grants for adolescent
9 pregnancy prevention activities at the institutions in
10 the fiscal year beginning July 1, 2012.

11 Sec. 24. 2011 Iowa Acts, chapter 129, section 128,
12 is amended to read as follows:

13 SEC. 128. CHILD AND FAMILY SERVICES.

14 1. There is appropriated from the general fund of
15 the state to the department of human services for the
16 fiscal year beginning July 1, 2012, and ending June 30,
17 2013, the following amount, or so much thereof as is
18 necessary, to be used for the purpose designated:

19 For child and family services:
20 \$ ~~41,415,081~~
21 79,671,886

22 2. In order to address a reduction of \$5,200,000
23 from the amount allocated under the appropriation made
24 for the purposes of this section in prior years for
25 purposes of juvenile delinquent graduated sanction
26 services, up to ~~\$2,600,000~~ \$5,200,000 of the amount of
27 federal temporary assistance for needy families block
28 grant funding appropriated in this division of this Act
29 for child and family services shall be made available
30 for purposes of juvenile delinquent graduated sanction
31 services.

32 3. The department may transfer funds appropriated
33 in this section as necessary to pay the nonfederal
34 costs of services reimbursed under the medical
35 assistance program, state child care assistance
36 program, or the family investment program which are
37 provided to children who would otherwise receive
38 services paid under the appropriation in this section.
39 The department may transfer funds appropriated in this
40 section to the appropriations made in this division
41 of this Act for general administration and for field
42 operations for resources necessary to implement and
43 operate the services funded in this section. The
44 department may transfer funds appropriated in this
45 section to the appropriation made in this division of
46 this Act for adoption subsidy to support the adjustment
47 in reimbursement rates for specified child welfare
48 providers as provided in this 2012 Act.

49 4. a. Of the funds appropriated in this section,
50 up to ~~\$15,084,564~~ \$30,837,098 is allocated as the

1 statewide expenditure target under section 232.143
2 for group foster care maintenance and services. If
3 the department projects that such expenditures for
4 the fiscal year will be less than the target amount
5 allocated in this lettered paragraph, the department
6 may reallocate the excess to provide additional
7 funding for shelter care or the child welfare emergency
8 services addressed with the allocation for shelter
9 care.

10 b. If at any time after September 30, 2012,
11 annualization of a service area's current expenditures
12 indicates a service area is at risk of exceeding its
13 group foster care expenditure target under section
14 232.143 by more than 5 percent, the department and
15 juvenile court services shall examine all group
16 foster care placements in that service area in order
17 to identify those which might be appropriate for
18 termination. In addition, any aftercare services
19 believed to be needed for the children whose
20 placements may be terminated shall be identified. The
21 department and juvenile court services shall initiate
22 action to set dispositional review hearings for the
23 placements identified. In such a dispositional review
24 hearing, the juvenile court shall determine whether
25 needed aftercare services are available and whether
26 termination of the placement is in the best interest of
27 the child and the community.

28 5. In accordance with the provisions of section
29 232.188, the department shall continue the child
30 welfare and juvenile justice funding initiative during
31 fiscal year 2012-2013. Of the funds appropriated
32 in this section, ~~\$858,876~~ \$1,717,753 is allocated
33 specifically for expenditure for fiscal year 2012-2013
34 through the decategorization service funding pools
35 and governance boards established pursuant to section
36 232.188.

37 6. A portion of the funds appropriated in this
38 section may be used for emergency family assistance
39 to provide other resources required for a family
40 participating in a family preservation or reunification
41 project or successor project to stay together or to be
42 reunified.

43 7. Notwithstanding section 234.35 or any other
44 provision of law to the contrary, state funding
45 for shelter care and the child welfare emergency
46 services contracting implemented to provide for or
47 prevent the need for shelter care shall be limited to
48 ~~\$3,585,058~~ \$6,470,116. The department may continue or
49 execute contracts that result from the department's
50 request for proposal, bid number ACFS-11-114, to

1 provide the range of child welfare emergency services
2 described in the request for proposals, and any
3 subsequent amendments to the request for proposals.
4 8. Federal funds received by the state during
5 the fiscal year beginning July 1, 2012, as the
6 result of the expenditure of state funds appropriated
7 during a previous state fiscal year for a service or
8 activity funded under this section are appropriated
9 to the department to be used as additional funding
10 for services and purposes provided for under this
11 section. Notwithstanding section 8.33, moneys
12 received in accordance with this subsection that remain
13 unencumbered or unobligated at the close of the fiscal
14 year shall not revert to any fund but shall remain
15 available for the purposes designated until the close
16 of the succeeding fiscal year.
17 ~~9. Of the funds appropriated in this section, at~~
18 ~~least \$1,848,142 shall be used for protective child~~
19 ~~care assistance.~~
20 10. a. Of the funds appropriated in this section,
21 up to ~~\$1,031,244~~ \$2,062,488 is allocated for the
22 payment of the expenses of court-ordered services
23 provided to juveniles who are under the supervision of
24 juvenile court services, which expenses are a charge
25 upon the state pursuant to section 232.141, subsection
26 4. Of the amount allocated in this lettered paragraph,
27 up to ~~\$778,143~~ \$1,556,287 shall be made available
28 to provide school-based supervision of children
29 adjudicated under chapter 232, of which not more than
30 ~~\$7,500~~ \$15,000 may be used for the purpose of training.
31 A portion of the cost of each school-based liaison
32 officer shall be paid by the school district or other
33 funding source as approved by the chief juvenile court
34 officer.
35 b. Of the funds appropriated in this section, up to
36 ~~\$374,492~~ \$748,985 is allocated for the payment of the
37 expenses of court-ordered services provided to children
38 who are under the supervision of the department,
39 which expenses are a charge upon the state pursuant to
40 section 232.141, subsection 4.
41 c. Notwithstanding section 232.141 or any other
42 provision of law to the contrary, the amounts allocated
43 in this subsection shall be distributed to the
44 judicial districts as determined by the state court
45 administrator and to the department's service areas as
46 determined by the administrator of the department's
47 division of child and family services. The state court
48 administrator and the division administrator shall make
49 the determination of the distribution amounts on or
50 before June 15, 2012.

1 d. Notwithstanding chapter 232 or any other
2 provision of law to the contrary, a district or
3 juvenile court shall not order any service which is
4 a charge upon the state pursuant to section 232.141
5 if there are insufficient court-ordered services
6 funds available in the district court or departmental
7 service area distribution amounts to pay for the
8 service. The chief juvenile court officer and the
9 departmental service area manager shall encourage use
10 of the funds allocated in this subsection such that
11 there are sufficient funds to pay for all court-related
12 services during the entire year. The chief juvenile
13 court officers and departmental service area managers
14 shall attempt to anticipate potential surpluses and
15 shortfalls in the distribution amounts and shall
16 cooperatively request the state court administrator
17 or division administrator to transfer funds between
18 the judicial districts' or departmental service areas'
19 distribution amounts as prudent.

20 e. Notwithstanding any provision of law to the
21 contrary, a district or juvenile court shall not order
22 a county to pay for any service provided to a juvenile
23 pursuant to an order entered under chapter 232 which
24 is a charge upon the state under section 232.141,
25 subsection 4.

26 f. Of the funds allocated in this subsection, not
27 more than ~~\$41,500~~ \$83,000 may be used by the judicial
28 branch for administration of the requirements under
29 this subsection.

30 g. Of the funds allocated in this subsection,
31 ~~\$8,500~~ \$17,000 shall be used by the department of human
32 services to support the interstate commission for
33 juveniles in accordance with the interstate compact for
34 juveniles as provided in section 232.173.

35 11. Of the funds appropriated in this section,
36 ~~\$2,961,301~~ \$5,922,602 is allocated for juvenile
37 delinquent graduated sanctions services. Any state
38 funds saved as a result of efforts by juvenile court
39 services to earn federal Tit. IV-E match for juvenile
40 court services administration may be used for the
41 juvenile delinquent graduated sanctions services.

42 12. Of the funds appropriated in this section,
43 ~~\$494,142~~ \$1,088,285 shall be transferred to the
44 department of public health to be used for the child
45 protection center grant program in accordance with
46 section 135.118. Of the amount allocated in this
47 subsection, \$100,000 shall be used for a center for the
48 Black Hawk county area.

49 13. If the department receives federal approval
50 to implement a waiver under Tit. IV-E of the federal

1 Social Security Act to enable providers to serve
2 children who remain in the children's families and
3 communities, for purposes of eligibility under the
4 medical assistance program, children who participate in
5 the waiver shall be considered to be placed in foster
6 care.

7 14. Of the funds appropriated in this section,
8 ~~\$1,534,916~~ \$3,092,375 is allocated for the preparation
9 for adult living program pursuant to section 234.46.

10 15. Of the funds appropriated in this section,
11 ~~\$260,075~~ \$520,150 shall be used for juvenile drug
12 courts. The amount allocated in this subsection shall
13 be distributed as follows:

14 To the judicial branch for salaries to assist with
15 the operation of juvenile drug court programs operated
16 in the following jurisdictions:

17 a. Marshall county:	
18	\$ 31,354
19	<u>62,708</u>
20 b. Woodbury county:	
21	\$ 62,841
22	<u>125,682</u>
23 c. Polk county:	
24	\$ 97,946
25	<u>195,892</u>
26 d. The third judicial district:	
27	\$ 33,967
28	<u>67,934</u>
29 e. The eighth judicial district:	
30	\$ 33,967
31	<u>67,934</u>

32 16. Of the funds appropriated in this section,
33 ~~\$113,668~~ \$227,337 shall be used for the public purpose
34 of ~~providing~~ continuing a grant to a nonprofit human
35 services organization providing services to individuals
36 and families in multiple locations in southwest
37 Iowa and Nebraska for support of a project providing
38 immediate, sensitive support and forensic interviews,
39 medical exams, needs assessments, and referrals for
40 victims of child abuse and their nonoffending family
41 members.

42 17. Of the funds appropriated in this section,
43 ~~\$62,795~~ \$125,590 is allocated for the ~~elevate~~ foster
44 care youth council approach of providing a support
45 network to children placed in foster care.

46 18. Of the funds appropriated in this section,
47 ~~\$101,000~~ \$202,000 is allocated for use pursuant to
48 section 235A.1 for continuation of the initiative to
49 address child sexual abuse implemented pursuant to 2007
50 Iowa Acts, chapter 218, section 18, subsection 21.

1 19. Of the funds appropriated in this section,
2 ~~\$315,120~~ \$630,240 is allocated for the community
3 partnership for child protection sites.

4 20. Of the funds appropriated in this section,
5 ~~\$185,625~~ \$371,250 is allocated for the department's
6 minority youth and family projects under the redesign
7 of the child welfare system.

8 21. Of the funds appropriated in this section,
9 ~~\$600,247~~ \$1,436,595 is allocated for funding of the
10 state match for community circle of care collaboration
11 for children and youth in northeast Iowa, formerly
12 referred to as the federal substance abuse and mental
13 health services administration (SAMHSA) system of care
14 grant.

15 22. Of the funds appropriated in this section, at
16 least ~~\$73,579~~ \$147,158 shall be used for the child
17 welfare training academy.

18 23. Of the funds appropriated in this section,
19 ~~\$12,500~~ \$25,000 shall be used for the public purpose
20 of continuation of a grant to a child welfare services
21 provider headquartered in a county with a population
22 between 205,000 and 215,000 in the latest certified
23 federal census that provides multiple services
24 including but not limited to a psychiatric medical
25 institution for children, shelter, residential
26 treatment, after school programs, school-based
27 programming, and an Asperger's syndrome program, to
28 be used for support services for children with autism
29 spectrum disorder and their families.

30 24. Of the funds appropriated in this section
31 ~~\$125,000~~ \$327,947 shall be used for continuation of the
32 central Iowa system of care program grant through June
33 30, 2013.

34 25. Of the funds appropriated in this section,
35 ~~\$80,000~~ \$160,000 shall be used for the public
36 purpose of the continuation of a system of care
37 grant implemented in Cerro Gordo and Linn counties in
38 accordance with this Act in FY 2011-2012.

39 26. Of the funds appropriated in this section,
40 at least \$25,000 shall be used to continue and to
41 expand the foster care respite program in which
42 postsecondary students in social work and other human
43 services-related programs receive experience by
44 assisting family foster care providers with respite and
45 other support.

46 27. The amount appropriated in this section
47 reflects a reduction in expenditures for office
48 supplies, purchases of equipment, office equipment,
49 printing and binding, and marketing, and shall be
50 applied equitably to the programs under this section.

1 comprehensive family support program under section
2 225C.47. Not more than ~~\$12,500~~ \$25,000 of the
3 amount allocated in this subsection shall be used for
4 administrative costs.

5 3. If at any time during the fiscal year, the
6 amount of funding available for the family support
7 subsidy program is reduced from the amount initially
8 used to establish the figure for the number of family
9 members for whom a subsidy is to be provided at any one
10 time during the fiscal year, notwithstanding section
11 225C.38, subsection 2, the department shall revise the
12 figure as necessary to conform to the amount of funding
13 available.

14 Sec. 27. 2011 Iowa Acts, chapter 129, section 132,
15 is amended to read as follows:

16 SEC. 132. CONNER DECREE. There is appropriated
17 from the general fund of the state to the department of
18 human services for the fiscal year beginning July 1,
19 2012, and ending June 30, 2013, the following amount,
20 or so much thereof as is necessary, to be used for the
21 purpose designated:

22 For building community capacity through the
23 coordination and provision of training opportunities
24 in accordance with the consent decree of Conner v.
25 Branstad, No. 4-86-CV-30871(S.D. Iowa, July 14, 1994):
26 \$ 16,811
27 33,622

28 Sec. 28. 2011 Iowa Acts, chapter 129, section 133,
29 is amended to read as follows:

30 SEC. 133. MENTAL HEALTH INSTITUTES. There is
31 appropriated from the general fund of the state to
32 the department of human services for the fiscal year
33 beginning July 1, 2012, and ending June 30, 2013, the
34 following amounts, or so much thereof as is necessary,
35 to be used for the purposes designated:

36 1. For the state mental health institute at
37 Cherokee for salaries, support, maintenance, and
38 miscellaneous purposes, and for not more than the
39 following full-time equivalent positions:
40 \$ 2,938,654
41 5,535,738
42 FTEs 168.50

43 The amount appropriated in this subsection reflects
44 a reduction in expenditures for office supplies,
45 purchases of equipment, office equipment, printing and
46 binding, and marketing under the purview of the mental
47 health institute.

48 2. For the state mental health institute at
49 Clarinda for salaries, support, maintenance, and
50 miscellaneous purposes, and for not more than the

1 following full-time equivalent positions:
 2 \$ 3,205,867
 3 6,442,688
 4 FTEs 86.10

5 The amount appropriated in this subsection reflects
 6 a reduction in expenditures for office supplies,
 7 purchases of equipment, office equipment, printing and
 8 binding, and marketing under the purview of the mental
 9 health institute.

10 3. For the state mental health institute at
 11 Independence for salaries, support, maintenance, and
 12 miscellaneous purposes, and for not more than the
 13 following full-time equivalent positions:
 14 \$ 5,137,842
 15 9,738,520
 16 FTEs 233.00

17 The amount appropriated in this subsection reflects
 18 a reduction in expenditures for office supplies,
 19 purchases of equipment, office equipment, printing and
 20 binding, and marketing under the purview of the mental
 21 health institute.

22 4. For the state mental health institute at Mount
 23 Pleasant for salaries, support, maintenance, and
 24 miscellaneous purposes, and for not more than the
 25 following full-time equivalent positions:
 26 \$ 472,161
 27 885,459
 28 FTEs 97.72

29 The amount appropriated in this subsection reflects
 30 a reduction in expenditures for office supplies,
 31 purchases of equipment, office equipment, printing and
 32 binding, and marketing under the purview of the mental
 33 health institute.

34 Sec. 29. 2011 Iowa Acts, chapter 129, section 134,
 35 is amended to read as follows:

36 SEC. 134. STATE RESOURCE CENTERS.

37 1. There is appropriated from the general fund of
 38 the state to the department of human services for the
 39 fiscal year beginning July 1, 2012, and ending June 30,
 40 2013, the following amounts, or so much thereof as is
 41 necessary, to be used for the purposes designated:

42 a. For the state resource center at Glenwood for
 43 salaries, support, maintenance, and miscellaneous
 44 purposes:
 45 \$ 9,253,900
 46 18,866,116

47 The amount appropriated in this paragraph "a"
 48 reflects a reduction in expenditures for office
 49 supplies, purchases of equipment, office equipment,
 50 printing and binding, and marketing under the purview

1 of the resource center.

2 b. For the state resource center at Woodward for
3 salaries, support, maintenance, and miscellaneous
4 purposes:

5 \$ 6,392,829
6 13,033,115

7 The amount appropriated in this paragraph "b"
8 reflects a reduction in expenditures for office
9 supplies, purchases of equipment, office equipment,
10 printing and binding, and marketing under the purview
11 of the resource center.

12 2. The department may continue to bill for state
13 resource center services utilizing a scope of services
14 approach used for private providers of ICFMR services,
15 in a manner which does not shift costs between the
16 medical assistance program, counties, or other sources
17 of funding for the state resource centers.

18 3. The state resource centers may expand the
19 time-limited assessment and respite services during the
20 fiscal year.

21 4. If the department's administration and the
22 department of management concur with a finding by a
23 state resource center's superintendent that projected
24 revenues can reasonably be expected to pay the salary
25 and support costs for a new employee position, or
26 that such costs for adding a particular number of new
27 positions for the fiscal year would be less than the
28 overtime costs if new positions would not be added, the
29 superintendent may add the new position or positions.
30 If the vacant positions available to a resource center
31 do not include the position classification desired to
32 be filled, the state resource center's superintendent
33 may reclassify any vacant position as necessary to
34 fill the desired position. The superintendents of the
35 state resource centers may, by mutual agreement, pool
36 vacant positions and position classifications during
37 the course of the fiscal year in order to assist one
38 another in filling necessary positions.

39 5. If existing capacity limitations are reached
40 in operating units, a waiting list is in effect
41 for a service or a special need for which a payment
42 source or other funding is available for the service
43 or to address the special need, and facilities for
44 the service or to address the special need can be
45 provided within the available payment source or other
46 funding, the superintendent of a state resource center
47 may authorize opening not more than two units or
48 other facilities and begin implementing the service
49 or addressing the special need during fiscal year
50 2012-2013.

1 Sec. 30. 2011 Iowa Acts, chapter 129, section 135,
2 is amended to read as follows:

3 SEC. 135. MI/MR/DD STATE CASES.

4 1. There is appropriated from the general fund of
5 the state to the department of human services for the
6 fiscal year beginning July 1, 2012, and ending June 30,
7 2013, the following amount, or so much thereof as is
8 necessary, to be used for the purpose designated:

9 For distribution to counties for state case services
10 for persons with mental illness, mental retardation,
11 and developmental disabilities in accordance with
12 section 331.440:

13 \$ ~~6,084,741~~
14 11,150,820

15 2. For the fiscal year beginning July 1, 2012, and
16 ending June 30, 2013, ~~\$100,000~~ \$200,000 is allocated
17 for state case services from the amounts appropriated
18 from the fund created in section 8.41 to the department
19 of human services from the funds received from the
20 federal government under 42 U.S.C. ch. 6A, subch. XVII,
21 relating to the community mental health center block
22 grant, for the federal fiscal years beginning October
23 1, 2010, and ending September 30, 2011, beginning
24 October 1, 2011, and ending September 30, 2012, and
25 beginning October 1, 2012, and ending September 30,
26 2013. The allocation made in this subsection shall be
27 made prior to any other distribution allocation of the
28 appropriated federal funds.

29 3. Notwithstanding section 8.33, moneys
30 appropriated in this section that remain unencumbered
31 or unobligated at the close of the fiscal year shall
32 not revert but shall remain available for expenditure
33 for the purposes designated until the close of the
34 succeeding fiscal year.

35 Sec. 31. 2011 Iowa Acts, chapter 129, section 137,
36 is amended to read as follows:

37 SEC. 137. SEXUALLY VIOLENT PREDATORS.

38 1. There is appropriated from the general fund of
39 the state to the department of human services for the
40 fiscal year beginning July 1, 2012, and ending June 30,
41 2013, the following amount, or so much thereof as is
42 necessary, to be used for the purpose designated:

43 For costs associated with the commitment and
44 treatment of sexually violent predators in the unit
45 located at the state mental health institute at
46 Cherokee, including costs of legal services and
47 other associated costs, including salaries, support,
48 maintenance, and miscellaneous purposes, and for not
49 more than the following full-time equivalent positions:
50 \$ ~~3,775,363~~

1 FTEs 285.00
2 295.00

3 1. Of the funds appropriated in this section,
4 ~~\$19,271~~ \$38,543 allocated for the prevention of
5 disabilities policy council established in section
6 225B.3.

7 2. The department shall report at least monthly
8 to the legislative services agency concerning the
9 department's operational and program expenditures.

10 3. Of the funds appropriated in this section,
11 ~~\$66,150~~ \$132,300 shall be used to continue the contract
12 for the provision of a program to provide technical
13 assistance, support, and consultation to providers of
14 habilitation services and home and community-based
15 services waiver services for adults with disabilities
16 under the medical assistance program.

17 4. Of the funds appropriated in this section,
18 ~~\$88,200~~ \$176,400 shall be used to continue the contract
19 to expand the provision of nationally accredited and
20 recognized internet-based training to include mental
21 health and disability services providers.

22 ~~5. Of the funds appropriated in this section,
23 \$250,000 shall be used for continuation of child
24 protection system improvements addressed in 2011 Iowa
25 Acts, House File 562, as enacted.~~

26 6. Of the funds appropriated in this section,
27 \$500,000 shall be used for implementation of 2012 Iowa
28 Acts, House File 2422, if enacted.

29 Sec. 34. 2011 Iowa Acts, chapter 129, section 140,
30 is amended to read as follows:

31 SEC. 140. VOLUNTEERS. There is appropriated from
32 the general fund of the state to the department of
33 human services for the fiscal year beginning July 1,
34 2012, and ending June 30, 2013, the following amount,
35 or so much thereof as is necessary, to be used for the
36 purpose designated:

37 For development and coordination of volunteer
38 services:

39 \$ 42,330
40 84,660

41 PROVIDER REIMBURSEMENT — NURSING FACILITIES

42 Sec. 35. 2011 Iowa Acts, chapter 129, section 141,
43 subsection 1, paragraph a, subparagraph (1), is amended
44 to read as follows:

45 (1) For the fiscal year beginning July 1, 2012, the
46 total state funding amount for the nursing facility
47 budget shall not exceed ~~\$225,457,724~~ \$237,226,901.

48 PROVIDER REIMBURSEMENT — PHARMACY AND PMICS

49 Sec. 36. 2011 Iowa Acts, chapter 129, section 141,
50 subsection 1, paragraphs b and i, are amended to read

1 as follows:

2 b. (1) For the fiscal year beginning July
3 1, 2012, the department shall reimburse pharmacy
4 dispensing fees using a single rate of range between
5 \$4.34 per prescription or the pharmacy's usual and
6 customary fee, whichever is lower, and \$11.10 per
7 prescription. The actual dispensing fee set within
8 the range shall be determined by an annual cost of
9 dispensing survey performed by the department and
10 required to be completed by all medical assistance
11 program participating pharmacies. The department shall
12 also update the cost of dispensing calculations on a
13 regular basis. However, the department shall adjust
14 the dispensing fee specified in this paragraph to
15 distribute an additional \$2,981,980 in reimbursements
16 for pharmacy dispensing fees under this paragraph for
17 the fiscal year.

18 (2) The department shall implement an average
19 acquisition cost reimbursement methodology for all
20 drugs covered under the medical assistance program.
21 The methodology shall utilize a survey of pharmacy
22 invoices from a rotation of pharmacies in determining
23 the average acquisition cost component of pharmacy
24 reimbursement. Pharmacies and providers that are
25 enrolled in the medical assistance program shall make
26 available drug acquisition cost invoice information,
27 product availability information if known, and other
28 information deemed necessary by the department to
29 assist the department in monitoring and revising the
30 reimbursement rates and for efficient operation of
31 the pharmacy benefit. The department shall provide a
32 process for pharmacies to address average acquisition
33 cost prices that are not reflective of the actual cost
34 of a drug. With regard to specialty pharmacy products
35 as defined by the department, the department shall
36 consider the population served, the current delivery
37 system, and the standard of care relative to these
38 products, and may adjust the product reimbursement rate
39 or dispensing fee to prevent problems with access to
40 these products and their associated specialty services.

41 (a) A pharmacy or provider shall produce and submit
42 the requested information in the manner and format
43 requested by the department or its designee at no cost
44 to the department or its designee.

45 (b) A pharmacy or provider shall submit information
46 to the department or its designee within the time
47 frame indicated following receipt of a request for
48 information unless the department or its designee
49 grants an extension upon written request of the
50 pharmacy or provider.

1 i. (1) For the fiscal year beginning July 1,
2 2012, state-owned psychiatric medical institutions
3 for children shall receive cost-based reimbursement
4 for 100 percent of the actual and allowable costs for
5 the provision of services to recipients of medical
6 assistance.

7 (2) For the nonstate-owned psychiatric medical
8 institutions for children, reimbursement rates shall be
9 based on the reimbursement methodology developed by the
10 department as required for federal compliance.

11 (3) As a condition of participation in the medical
12 assistance program, enrolled providers shall accept the
13 medical assistance reimbursement rate for any covered
14 goods or services provided to recipients of medical
15 assistance who are children under the custody of a
16 psychiatric medical institution for children.

17 PROVIDER REIMBURSEMENT — SPECIFIED CHILD WELFARE
18 PROVIDERS

19 Sec. 37. 2011 Iowa Acts, chapter 129, section 141,
20 is amended by adding the following new subsection:

21 NEW SUBSECTION. 6A. For the fiscal year beginning
22 July 1, 2012, the department shall adjust the
23 foster family basic daily maintenance rate, the
24 maximum adoption subsidy rates for children, the
25 family-centered service providers rate, the family
26 foster care service providers rate, the group foster
27 care service providers rate, and the resource family
28 recruitment and retention contractor rate, as such
29 rates are identified in this section and were in effect
30 on June 30, 2012, in order to distribute an additional
31 \$1,535,256 in state reimbursements equitably to such
32 providers for the fiscal year.

33 REBASING STUDY —

34 MEDICAID HOME HEALTH AND HCBS WAIVER SERVICES PROVIDERS

35 Sec. 38. 2011 Iowa Acts, chapter 129, section 141,
36 is amended by adding the following new subsection:

37 NEW SUBSECTION. 10A. The department of human
38 services, Iowa Medicaid enterprise, shall review
39 reimbursement of home health agency and home and
40 community-based services waiver services providers
41 and shall submit a recommendation for a rebasing
42 methodology applicable to such providers to the
43 individuals identified in this division of this Act for
44 receipt of reports by December 31, 2012.

45 REPORTS

46 Sec. 39. 2011 Iowa Acts, chapter 129, section 143,
47 is amended to read as follows:

48 SEC. 143. REPORTS. Any reports or other
49 information required to be compiled and submitted
50 under this Act shall be submitted to the chairpersons

1 and ranking members of the joint appropriations
2 subcommittee on health and human services, the
3 legislative services agency, and the legislative caucus
4 staffs on or before the dates specified for submission
5 of the reports or information.

6 DIVISION V

7 HEALTH CARE ACCOUNTS AND FUNDS

8 PHARMACEUTICAL SETTLEMENT ACCOUNT

9 Sec. 40. 2011 Iowa Acts, chapter 129, section 145,
10 is amended to read as follows:

11 SEC. 145. PHARMACEUTICAL SETTLEMENT ACCOUNT. There
12 is appropriated from the pharmaceutical settlement
13 account created in section 249A.33 to the department of
14 human services for the fiscal year beginning July 1,
15 2012, and ending June 30, 2013, the following amount,
16 or so much thereof as is necessary, to be used for the
17 purpose designated:

18 Notwithstanding any provision of law to the
19 contrary, to supplement the appropriations made in this
20 Act for medical contracts under the medical assistance
21 program for the fiscal year beginning July 1, 2012, and
22 ending June 30, 2013:

23 \$ 2,716,807

24 IOWACARE ACCOUNT APPROPRIATIONS — UNIVERSITY OF IOWA
25 HOSPITALS AND CLINICS

26 Sec. 41. 2011 Iowa Acts, chapter 129, section 146,
27 subsection 1, paragraph a, subparagraph (1), is amended
28 to read as follows:

29 (1) Funds appropriated in this subsection shall
30 not be used for abortions shall be used in a manner
31 consistent with options under federal Medicaid law
32 and regulation. For the purposes of this subsection,
33 "abortion" does not include any of the following:

34 (a) The treatment of a woman for a physical
35 disorder, physical injury, or physical illness,
36 including a life-endangering physical condition caused
37 by or arising from the pregnancy itself, that would,
38 as certified by a physician, place the woman in danger
39 of death.

40 (b) The treatment of a woman for a spontaneous
41 abortion, commonly known as a miscarriage, when not all
42 of the products of conception are expelled.

43 Sec. 42. 2011 Iowa Acts, chapter 129, section 146,
44 subsection 1, is amended by adding the following new
45 paragraph:

46 NEW PARAGRAPH. d. The university of Iowa hospitals
47 and clinics shall utilize a portion of the funds
48 appropriated in this subsection to pay for lodging
49 expenses for expansion population members receiving
50 cancer treatment over successive days. A member shall

1 only be eligible for such payment if the member is
2 otherwise unable to secure lodging at the university of
3 Iowa hospitals and clinics campus or at any other local
4 facility offering free lodging for a member receiving
5 cancer treatment over successive days.

6 Sec. 43. 2011 Iowa Acts, chapter 129, section 146,
7 subsection 2, unnumbered paragraph 2, is amended to
8 read as follows:

9 For salaries, support, maintenance, equipment, and
10 miscellaneous purposes, for the provision of medical
11 and surgical treatment of indigent patients, for
12 provision of services to members of the expansion
13 population pursuant to chapter 249J, and for medical
14 education:

15 \$ ~~44,226,279~~
16 45,654,133

17 IOWACARE ACCOUNT — PUBLICLY OWNED ACUTE CARE TEACHING
18 HOSPITAL

19 Sec. 44. 2011 Iowa Acts, chapter 129, section 146,
20 subsection 4, unnumbered paragraph 2, is amended to
21 read as follows:

22 For distribution to a publicly owned acute care
23 teaching hospital located in a county with a population
24 over 350,000 for the provision of medical and surgical
25 treatment of indigent patients, for provision of
26 services to members of the expansion population
27 pursuant to chapter 249J, and for medical education:

28 \$ ~~65,000,000~~
29 70,000,000

30 IOWACARE ACCOUNT — PUBLICLY OWNED ACUTE CARE HOSPITAL
31 ALLOCATIONS

32 Sec. 45. 2011 Iowa Acts, chapter 129, section 146,
33 subsection 4, paragraphs a and b, are amended to read
34 as follows:

35 a. Notwithstanding any provision of law to the
36 contrary, the amount appropriated in this subsection
37 shall be distributed based on claims submitted,
38 adjudicated, and paid by the Iowa Medicaid enterprise
39 plus a monthly disproportionate share hospital payment.
40 Any amount appropriated in this subsection in excess
41 of ~~\$60,000,000~~ \$65,000,000 shall be distributed
42 only if the sum of the expansion population claims
43 adjudicated and paid by the Iowa Medicaid enterprise
44 plus the estimated disproportionate share hospital
45 payments exceeds ~~\$60,000,000~~ \$65,000,000. The amount
46 paid in excess of ~~\$60,000,000~~ \$65,000,000 shall
47 not adjust the original monthly payment amount but
48 shall be distributed monthly based on actual claims
49 adjudicated and paid by the Iowa Medicaid enterprise
50 plus the estimated disproportionate share hospital

1 amount. Any amount appropriated in this subsection in
2 excess of ~~\$60,000,000~~ \$65,000,000 shall be allocated
3 only if federal funds are available to match the
4 amount allocated. Pursuant to paragraph "b", of the
5 amount appropriated in this subsection, not more than
6 \$4,000,000 shall be distributed for prescription
7 drugs, and podiatry services, and optometric services.

8 b. Notwithstanding any provision of law to the
9 contrary, the hospital identified in this subsection,
10 shall be reimbursed for outpatient prescription
11 drugs, and podiatry services, and optometric services
12 provided to members of the expansion population
13 pursuant to all applicable medical assistance program
14 rules, in an amount not to exceed \$4,000,000.

15 IOWACARE ACCOUNT — REGIONAL PROVIDER NETWORK

16 Sec. 46. 2011 Iowa Acts, chapter 129, section 146,
17 subsection 5, unnumbered paragraph 2, is amended to
18 read as follows:

19 For payment to the regional provider network
20 specified by the department pursuant to section 249J.7
21 for provision of covered services to members of the
22 expansion population pursuant to chapter 249J:

23 \$ 3,472,176
24 4,986,366

25 ACCOUNT FOR HEALTH CARE TRANSFORMATION

26 Sec. 47. 2011 Iowa Acts, chapter 129, section 148,
27 is amended to read as follows:

28 SEC. 148. APPROPRIATIONS FROM ACCOUNT FOR HEALTH
29 CARE TRANSFORMATION — DEPARTMENT OF HUMAN SERVICES.

30 Notwithstanding any provision to the contrary,
31 there is appropriated from the account for health
32 care transformation created in section 249J.23 to
33 the department of human services for the fiscal year
34 beginning July 1, 2012, and ending June 30, 2013, the
35 following amounts, or so much thereof as is necessary,
36 to be used for the purposes designated:

37 1. For the provision of an IowaCare nurse helpline
38 for the expansion population as provided in section
39 249J.6:

40 \$ 50,000
41 100,000

42 2. For other health promotion partnership
43 activities pursuant to section 249J.14:

44 \$ 300,000

45 3. For the costs related to audits, performance
46 evaluations, and studies required pursuant to chapter
47 249J:

48 \$ 62,500
49 125,000

50 4. For administrative costs associated with chapter

1 249J:
2 \$ 566,206
3 1,132,412
4 5. For planning and development, in cooperation
5 with the department of public health, of a phased-in
6 program to provide a dental home for children in
7 accordance with section 249J.14:
8 \$ 500,000
9 1,000,000
10 6. For continuation of the establishment of the
11 tuition assistance for individuals serving individuals
12 with disabilities pilot program, as enacted in 2008
13 Iowa Acts, chapter 1187, section 130:
14 \$ 25,000
15 50,000
16 7. For medical contracts:
17 \$ 1,000,000
18 2,400,000
19 8. For payment to the publicly owned acute care
20 teaching hospital located in a county with a population
21 of over 350,000 that is a participating provider
22 pursuant to chapter 249J:
23 \$ 145,000
24 540,000
25 Disbursements under this subsection shall be made
26 monthly. The hospital shall submit a report following
27 the close of the fiscal year regarding use of the
28 funds appropriated in this subsection to the persons
29 specified in this Act to receive reports.
30 9. For transfer to the department of public health
31 to be used for the costs of medical home system
32 advisory council established pursuant to section
33 135.159:
34 \$ 116,679
35 233,357
36 10. For continued implementation of a uniform cost
37 report:
38 \$ 75,000
39 150,000
40 11. For continued implementation of an electronic
41 medical records system:
42 \$ 50,000
43 100,000
44 Notwithstanding section 8.33, funds allocated in
45 this subsection that remain unencumbered or unobligated
46 at the close of the fiscal year shall not revert but
47 shall remain available in succeeding fiscal years to be
48 used for the purposes designated.
49 12. For transfer to the department of public health
50 to support the department's activities relating to

1 health and long-term care access as specified pursuant
2 to chapter 135, division XXIV:
3 \$ 67,107
4 134,214
5 13. For continuation of an accountable care
6 organization pilot project:
7 \$ 50,000
8 100,000
9 15. For transfer to the department of public health
10 to be used as state matching funds for the health
11 information technology ~~system~~ network developed by the
12 department of public health:
13 \$ 181,993
14 363,987
15 16. To supplement the appropriation for medical
16 assistance:
17 \$ 1,956,245 4,106,245
18 17. For transfer to the department of public health
19 to be used for the mental health and disabilities
20 services workforce development workgroup, if created by
21 the Eighty-fourth General Assembly, 2012 Session:
22 \$ 25,000

23 Notwithstanding section 8.39, subsection 1, without
24 the prior written consent and approval of the governor
25 and the director of the department of management, the
26 director of human services may transfer funds among
27 the appropriations made in this section as necessary
28 to carry out the purposes of the account for health
29 care transformation. The department shall report
30 any transfers made pursuant to this section to the
31 legislative services agency.

32 QUALITY ASSURANCE TRUST FUND

33 Sec. 48. 2011 Iowa Acts, chapter 129, section 151,
34 is amended to read as follows:

35 SEC. 151. QUALITY ASSURANCE TRUST FUND —
36 DEPARTMENT OF HUMAN SERVICES. Notwithstanding
37 any provision to the contrary and subject to the
38 availability of funds, there is appropriated from the
39 quality assurance trust fund created in section 249L.4
40 to the department of human services for the fiscal year
41 beginning July 1, 2012, and ending June 30, 2013, the
42 following amounts, or so much thereof as is necessary
43 for the purposes designated:

44 To supplement the appropriation made in this Act
45 from the general fund of the state to the department of
46 human services for medical assistance:
47 \$ 29,000,000
48 26,500,000

49 HOSPITAL HEALTH CARE ACCESS TRUST FUND

50 Sec. 49. 2011 Iowa Acts, chapter 129, section 152,

1 is amended to read as follows:
2 SEC. 152. HOSPITAL HEALTH CARE ACCESS TRUST FUND
3 — DEPARTMENT OF HUMAN SERVICES. Notwithstanding
4 any provision to the contrary and subject to the
5 availability of funds, there is appropriated from
6 the hospital health care access trust fund created in
7 section 249M.4 to the department of human services for
8 the fiscal year beginning July 1, 2012, and ending June
9 30, 2013, the following amounts, or so much thereof as
10 is necessary, for the purposes designated:

11 1. To supplement the appropriation made in this Act
12 from the general fund of the state to the department of
13 human services for medical assistance:

14 \$ ~~39,223,800~~
15 33,898,400

16 2. For deposit in the nonparticipating provider
17 reimbursement fund created in section 249J.24A to be
18 used for the purposes of the fund:

19 \$ ~~776,200~~
20 801,600

21 MISCELLANEOUS PROVISIONS

22 Sec. 50. REPEAL. 2011 Iowa Acts, chapter 129,
23 sections 149 and 150, are repealed.

24 DIVISION VI

25 CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD ENROLLMENT
26 CONTINGENCY FUND

27 Sec. 51. CHILDREN'S HEALTH INSURANCE PROGRAM —
28 CHILD ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR USE
29 OF FUNDS — FY 2011-2012.

30 1. Moneys received from the federal government
31 through the child enrollment contingency fund
32 established pursuant to section 103 of the federal
33 Children's Health Insurance Program Reauthorization
34 Act of 2009, Pub. L. No. 111-3, are appropriated to
35 the department of human services for the fiscal year
36 beginning July 1, 2011, and ending June 30, 2012, to be
37 used in addition to any other amounts appropriated for
38 the same purposes for the fiscal year as follows:

39 a. For adoption subsidy payments and services:
40 \$ 2,177,355

41 b. For child care programs:
42 \$ 1,212,432

43 c. For transfer to the department of public health
44 to be used for tobacco use prevention, cessation, and
45 treatment through support of Quitline Iowa:
46 \$ 200,000

47 2. Notwithstanding section 8.39, and to the extent
48 that funds appropriated in this section are unexpended
49 or unobligated for the purposes specified in subsection
50 1, the department of human services may transfer funds

1 within or between any of the appropriations made in
2 this section for the following purposes:

- 3 a. For adoption subsidy payments and services.
- 4 b. For child care assistance.

5 Sec. 52. CHILDREN'S HEALTH INSURANCE PROGRAM —
6 CHILD ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR
7 USE OF FUNDS — FY 2012-2013. Moneys received from
8 the federal government through the child enrollment
9 contingency fund established pursuant to section 103
10 of the federal Children's Health Insurance Program
11 Reauthorization Act of 2009, Pub. L. No. 111-3, are
12 appropriated to the department of human services for
13 the fiscal year beginning July 1, 2012, and ending June
14 30, 2013, to be used in addition to any other amounts
15 appropriated for the same purposes for the fiscal year
16 as follows:

- 17 1. For mental health and disability services
18 redesign technical assistance services:
19 \$ 500,000
- 20 2. For the field operations integrity claims unit:
21 \$ 961,100
- 22 3. For the child welfare resources fund created
23 pursuant to this subsection:
24 \$ 1,000,000

25 A child welfare resources fund is created under
26 the control of the department of human services.
27 Notwithstanding section 8.33, moneys credited to
28 the fund shall not revert to any other fund and are
29 appropriated to the department to be used as provided
30 in this subsection. The department shall distribute
31 the moneys credited to the fund as grants to child
32 welfare service providers to support infrastructure
33 projects, supplies, equipment, renovations, and other
34 one-time expenses in connection with publicly funded
35 child welfare services.

36 Sec. 53. EFFECTIVE DATE PROVISIONS. The section of
37 this division of this Act appropriating moneys received
38 through the federal Child Enrollment Contingency Fund
39 for the fiscal year beginning July 1, 2011, and ending
40 June 30, 2012, being deemed of immediate importance,
41 take effect upon enactment.

42 Sec. 54. RETROACTIVE APPLICABILITY. The section of
43 this division of this Act appropriating moneys received
44 through the federal Child Enrollment Contingency Fund
45 for the fiscal year beginning July 1, 2011, and ending
46 June 30, 2012, applies retroactively to July 1, 2011.

47 DIVISION VII

48 MENTAL HEALTH AND DISABILITY SERVICES MEDICAL
49 ASSISTANCE PROGRAM ADDITIONAL FUNDING

50 Sec. 55. RISK POOL APPROPRIATION FOR MEDICAL

1 ASSISTANCE PROGRAM. All moneys remaining in the risk
2 pool of the property tax relief fund on June 30,
3 2012, following the distributions made pursuant to
4 2012 Iowa Acts, Senate File 2071, are appropriated to
5 the department of human services for the fiscal year
6 beginning July 1, 2012, and ending June 30, 2013, to be
7 used for the purpose designated:

8 To be credited to the appropriation made for the
9 medical assistance program in 2011 Iowa Acts, chapter
10 129, section 122.

11 Sec. 56. MENTAL HEALTH AND DISABILITY SERVICES
12 REDESIGN.

13 There is appropriated from the general fund of the
14 state to the department of human services for the
15 fiscal year beginning July 1, 2012, and ending June 30,
16 2013, the following amount, or so much thereof as is
17 necessary, to be used for the purposes designated:

18 For the medical assistance program appropriation
19 for the fiscal year for the expense of replacing
20 the enhanced match rate provided through the federal
21 American Recovery and Reinvestment Act of 2009 and
22 for the reduction in the federal medical assistance
23 percentage associated with the mental health and
24 disabilities services for which the match has been paid
25 by counties:

26 \$ 41,736,918

27 DIVISION VIII

28 PRIOR APPROPRIATIONS AND RELATED CHANGES

29 INJURED VETERANS GRANT PROGRAM

30 Sec. 57. 2008 Iowa Acts, chapter 1187, section 69,
31 unnumbered paragraph 1, as amended by 2009 Iowa Acts,
32 chapter 182, section 83, 2010 Iowa Acts, chapter 1192,
33 section 56, and 2011 Iowa Acts, chapter 129, section
34 53, is amended to read as follows:

35 Notwithstanding section 8.33, moneys appropriated in
36 this subsection that remain unencumbered or unobligated
37 at the close of the fiscal year shall not revert but
38 shall remain available for expenditure for the purposes
39 designated until the close of the fiscal year beginning
40 July 1, ~~2011~~ 2012.

41 IOWA VETERANS HOME

42 Sec. 58. 2011 Iowa Acts, chapter 129, section 3,
43 subsection 2, is amended by adding the following new
44 paragraph:

45 NEW PARAGRAPH. d. The funds appropriated in this
46 subsection to the Iowa veterans home that remain
47 available for expenditure for the succeeding fiscal
48 year pursuant to section 35D.18, subsection 5, shall
49 be distributed to be used in the succeeding fiscal
50 year in accordance with this lettered paragraph. The

1 first \$500,000 shall remain available to be used for
2 the purposes of the Iowa veterans home. Any remaining
3 balance shall be credited to the appropriation in this
4 Act for the fiscal year beginning July 1, 2012, for
5 medical assistance.

6 FAMILY INVESTMENT PROGRAM — GENERAL FUND

7 Sec. 59. 2011 Iowa Acts, chapter 129, section 7, is
8 amended by adding the following new subsection:

9 NEW SUBSECTION. 5. Notwithstanding section
10 8.33, moneys appropriated in this section that remain
11 unencumbered or unobligated at the close of the fiscal
12 year shall not revert but shall remain available for
13 expenditure for the purposes designated until the close
14 of the succeeding fiscal year.

15 MEDICAL ASSISTANCE

16 Sec. 60. 2011 Iowa Acts, chapter 129, section 10,
17 subsection 20, paragraph d, is amended to read as
18 follows:

19 d. If the savings to the medical assistance
20 program exceed the cost, the department may transfer
21 any savings generated for the fiscal year due to
22 medical assistance program cost containment efforts
23 initiated pursuant to 2010 Iowa Acts, chapter 1031,
24 Executive Order No. 20, issued December 16, 2009, or
25 cost containment strategies initiated pursuant to this
26 subsection, to the ~~appropriation~~ appropriations made
27 in this division of this Act for medical contracts or
28 general administration to defray the increased contract
29 costs associated with implementing such efforts.

30 BEHAVIORAL HEALTH SERVICES ACCOUNT — MEDICAL
31 ASSISTANCE

32 Sec. 61. 2011 Iowa Acts, chapter 129, section 10,
33 is amended by adding the following new subsection:
34 NEW SUBSECTION. 26. Notwithstanding 2009 Iowa
35 Acts, chapter 182, section 9, subsection 16, paragraph
36 "b", as amended by 2010 Iowa Acts, chapter 1192,
37 section 63, as amended by 2011 Iowa Acts, chapter
38 129, section 54, funds in the account that remain
39 unencumbered or unobligated at the end of the fiscal
40 year beginning July 1, 2011, are appropriated to the
41 department of human services to be used for the medical
42 assistance program for the succeeding fiscal year.

43 STATE SUPPLEMENTARY ASSISTANCE

44 Sec. 62. 2011 Iowa Acts, chapter 129, section 11,
45 is amended by adding the following new subsection:

46 NEW SUBSECTION. 4. Notwithstanding section
47 8.33, moneys appropriated in this section that remain
48 unencumbered or unobligated at the close of the fiscal
49 year shall not revert but shall remain available for
50 expenditure for the purposes designated until the close

1 of the succeeding fiscal year.

2 FIELD OPERATIONS

3 Sec. 63. 2011 Iowa Acts, chapter 129, section
4 25, is amended by adding the following new unnumbered
5 paragraph:

6 NEW UNNUMBERED PARAGRAPH. Notwithstanding section
7 8.33, moneys appropriated in this section that remain
8 unencumbered or unobligated at the close of the fiscal
9 year shall not revert but shall remain available for
10 expenditure for the purposes designated until the close
11 of the succeeding fiscal year.

12 CHILD PROTECTION SYSTEM IMPROVEMENTS

13 Sec. 64. 2011 Iowa Acts, chapter 129, section 26,
14 subsection 5, is amended to read as follows:

15 5. Of the funds appropriated in this section,
16 \$500,000 shall be used for implementation of child
17 protection system improvements addressed in 2011
18 Iowa Acts, ~~House File 562, as enacted chapter 28.~~
19 Notwithstanding section 8.33, moneys allocated in this
20 subsection that remain unencumbered or unobligated
21 at the close of the fiscal year shall not revert but
22 shall remain available for expenditure for the purposes
23 designated until the close of the succeeding fiscal
24 year.

25 GENERAL ADMINISTRATION

26 Sec. 65. 2011 Iowa Acts, chapter 129, section 26,
27 is amended by adding the following new subsection:

28 NEW SUBSECTION. 6. Notwithstanding section
29 8.33, moneys appropriated in this section that remain
30 unencumbered or unobligated at the close of the fiscal
31 year shall not revert but shall remain available for
32 expenditure for the purposes designated until the close
33 of the succeeding fiscal year.

34 IOWACARE DISTRIBUTIONS

35 Sec. 66. 2011 Iowa Acts, chapter 129, section
36 35, subsection 4, paragraph a, is amended to read as
37 follows:

38 a. Notwithstanding any provision of law to the
39 contrary, the amount appropriated in this subsection
40 shall be distributed based on claims submitted,
41 adjudicated, and paid by the Iowa Medicaid enterprise
42 plus a monthly disproportionate share hospital payment.
43 Any amount appropriated in this subsection in excess
44 of ~~\$60,000,000~~ \$56,500,000 shall be distributed
45 only if the sum of the expansion population claims
46 adjudicated and paid by the Iowa Medicaid enterprise
47 plus the estimated disproportionate share hospital
48 payments exceeds ~~\$60,000,000~~ \$56,500,000. The amount
49 paid in excess of ~~\$60,000,000~~ \$56,500,000 shall
50 not adjust the original monthly payment amount but

1 shall be distributed monthly based on actual claims
2 adjudicated and paid by the Iowa Medicaid enterprise
3 plus the estimated disproportionate share hospital
4 amount. Any amount appropriated in this subsection in
5 excess of ~~\$60,000,000~~ \$56,500,000 shall be allocated
6 only if federal funds are available to match the
7 amount allocated. Pursuant to paragraph "b", of the
8 amount appropriated in this subsection, not more than
9 \$4,000,000 shall be distributed for prescription drugs
10 and podiatry services.

11 Sec. 67. 2011 Iowa Acts, chapter 129, section 35,
12 subsection 4, paragraph d, subparagraph (2), is amended
13 to read as follows:

14 (2) Notwithstanding the amount collected and
15 distributed for deposit in the IowaCare account
16 pursuant to section 249J.24, subsection 4, paragraph
17 "a", subparagraph (2), the first \$19,000,000 in
18 collections pursuant to section 347.7 between January
19 1, 2012, and June 30, 2012, shall be distributed to
20 the treasurer of state for deposit in the IowaCare
21 account and collections during this time period in
22 excess of \$19,000,000 shall be distributed to the acute
23 care teaching hospital identified in this subsection.
24 ~~Of the collections in excess of the \$19,000,000~~
25 ~~received by the acute care teaching hospital under this~~
26 ~~subparagraph (2), \$2,000,000 shall be distributed by~~
27 ~~the acute care teaching hospital to the treasurer of~~
28 ~~state for deposit in the IowaCare account in the month~~
29 ~~of July 2012, following the January 1 through June 30,~~
30 ~~2012, period.~~

31 Sec. 68. IMMEDIATE EFFECTIVE DATE. This division
32 of this Act, being deemed of immediate importance,
33 takes effect upon enactment.

34 Sec. 69. RETROACTIVE APPLICABILITY. The
35 following sections of this division of this Act apply
36 retroactively to July 1, 2011:

37 1. The section relating to the transfer of funds
38 from costs savings under the medical assistance program
39 to appropriations for medical contracts or general
40 administration for the fiscal year beginning July 1,
41 2011, and ending June 30, 2012.

42 2. The section relating to the distribution of
43 IowaCare program funds.

44 DIVISION IX
45 MISCELLANEOUS

46 Sec. 70. Section 8A.512A, subsection 3, Code
47 Supplement 2011, is amended to read as follows:

48 3. *a.* For purposes of this section, "executive
49 branch employee" means an employee of the executive
50 branch as defined in section 7E.2, other than a

1 member or employee of the state board of regents and
2 institutions under the control of the state board of
3 regents.

4 *b.* For purposes of this section, "out-of-state
5 travel" does not include out-of-state travel incidental
6 to travel between a travel departure point in this
7 state and a travel destination point in the city of
8 Carter Lake.

9 Sec. 71. Section 97B.39, Code 2011, is amended to
10 read as follows:

11 **97B.39 Rights not transferable or subject to legal**
12 **process — exceptions.**

13 The right of any person to any future payment under
14 this chapter is not transferable or assignable, at
15 law or in equity, and the moneys paid or payable or
16 rights existing under this chapter are not subject to
17 execution, levy, attachment, garnishment, or other
18 legal process, or to the operation of any bankruptcy
19 or insolvency law except for the purposes of enforcing
20 child, spousal, or medical support obligations or
21 marital property orders, or for recovery of medical
22 assistance payments pursuant to section 249A.5.

23 For the purposes of enforcing child, spousal, or
24 medical support obligations, the garnishment or
25 attachment of or the execution against compensation
26 due a person under this chapter shall not exceed
27 the amount specified in 15 U.S.C. § 1673(b). The
28 system shall comply with the provisions of a marital
29 property order requiring the selection of a particular
30 benefit option, designated beneficiary, or contingent
31 annuitant if the selection is otherwise authorized
32 by this chapter and the member has not received
33 payment of the member's first retirement allowance.
34 However, a marital property order shall not require
35 the payment of benefits to an alternative payee prior
36 to the member's retirement, prior to the date the
37 member elects to receive a lump sum distribution of
38 accumulated contributions pursuant to section 97B.53,
39 or in an amount that exceeds the benefits the member
40 would otherwise be eligible to receive pursuant to this
41 chapter.

42 Sec. 72. Section 135.63, subsection 2, Code 2011,
43 is amended by adding the following new paragraph:

44 **NEW PARAGRAPH. g.** Any outpatient surgical facility
45 that meets all of the following conditions:

46 (1) Functions to provide treatment exclusively for
47 ophthalmic conditions, diseases, or disorders.

48 (2) As of July 1, 2012, is physically connected to
49 or in the same structure as the private practice office
50 of any physician participating as medical staff of the

1 outpatient surgical facility.

2 (3) Is restricted to use by any such participating
3 physician.

4 (4) Is located in a city of greater than one
5 hundred twenty thousand but less than one hundred forty
6 thousand population.

7 Sec. 73. Section 135H.10, subsection 3, Code 2011,
8 is amended by striking the subsection.

9 Sec. 74. Section 144D.4, as enacted by 2012 Iowa
10 Acts, House File 2165, section 5, is amended by adding
11 the following new subsection:

12 NEW SUBSECTION. 10. A POST form executed between
13 July 1, 2008, and June 30, 2012, as part of the patient
14 autonomy in health care decisions pilot project created
15 pursuant to 2008 Iowa Acts, chapter 1188, section 36,
16 as amended by 2010 Iowa Acts, chapter 1192, section 58,
17 shall remain effective until revoked or until a new
18 POST form is executed pursuant to this chapter.

19 Sec. 75. Section 256B.9, subsection 7, Code 2011,
20 is amended to read as follows:

21 7. a. The costs of special education instructional
22 programs include the costs of purchase of
23 transportation equipment to meet the special needs of
24 children requiring special education with the approval
25 of the director of the department of education.

26 b. The department of education shall administer
27 the costs of special education instructional programs
28 when contracted with a private agency that provides
29 residential treatment services to include the costs
30 of general administration, health service, attendance
31 officers, plant operation, and plant maintenance,
32 regular and special instructional costs, overhead
33 costs, and the costs of purchase of equipment,
34 transportation, and insurance to meet the special needs
35 of children requiring special education.

36 c. The state board of education shall adopt rules
37 under chapter 17A for the purchase of transportation
38 equipment pursuant to administer this section.

39 Sec. 76. SPECIAL EDUCATION COSTS — LEGISLATIVE
40 STUDY. The legislative council is requested to
41 establish an interim study committee during the 2012
42 interim to examine the payment of special education
43 costs associated with student services provided in
44 residential treatment facilities and whether the
45 planning for and costs of such services would be
46 more appropriately administered by the department of
47 education or the department of human services.

48 Sec. 77. Section 225B.8, Code Supplement 2011, is
49 amended to read as follows:

50 **225B.8 Repeal.**

1 This chapter is repealed July 1, ~~2012~~ 2013.

2 Sec. 78. CIVIL MONETARY PENALTIES — NURSING
3 FACILITY TRAINING — SEXUAL OFFENDERS. Of the funds
4 received by the department of human services through
5 civil monetary penalties from nursing facilities,
6 during the fiscal year beginning July 1, 2012, and
7 ending June 30, 2013, \$250,000 shall be used for
8 training of nursing facility staff relating to the
9 requirements of 2012 Iowa Acts, House File 2422, if
10 enacted.

11 Sec. 79. EFFECTIVE UPON ENACTMENT. The section
12 of this division of this Act amending section 256B.9,
13 being deemed of immediate importance, takes effect upon
14 enactment.

15 Sec. 80. RETROACTIVE APPLICABILITY. The section
16 of this division of this Act amending section 256B.9
17 applies retroactively to July 1, 2011.

18 DIVISION X

19 DISTRIBUTION OF FAMILY PLANNING FUNDS

20 Sec. 81. DISTRIBUTION OF FAMILY PLANNING FUNDS.

21 1. As used in this section, unless the context
22 otherwise requires:

23 a. "Department" means department as defined in
24 section 7E.4.

25 b. "Federally qualified health center" means a
26 health care provider that is eligible for federal
27 funding under 42 U.S.C. § 1396d(1)(2)(B).

28 2. Notwithstanding any other law to the contrary,
29 any expenditure, award, or other distribution of state
30 or federal family planning funds shall be made to
31 eligible applicants in the following order of priority:

32 a. Public entities that provide family planning
33 services including state, county, or local community
34 health clinics and federally qualified health centers.

35 b. Nonpublic entities that, in addition to family
36 planning services, provide required primary health
37 services as described in 42 U.S.C. § 254b(b)(1)(A).

38 c. Nonpublic entities that provide family planning
39 services but do not provide required primary health
40 services as described in 42 U.S.C. § 254b(b)(1)(A).

41 3. A department shall ensure distribution of
42 federal family planning funds in a manner that does not
43 severely limit or eliminate access to family planning
44 services in any region of the state.

45 4. A department shall not distribute state or
46 federal family planning funds under this section to
47 any entity that performs abortions or that maintains
48 or operates a facility where abortions are performed.
49 For the purposes of this section, "abortion" does not
50 include any of the following:

1 a. The treatment of a woman for a physical
2 disorder, physical injury, or physical illness,
3 including a life-endangering physical condition caused
4 by or arising from the pregnancy itself, that would,
5 as certified by a physician, place the woman in danger
6 of death.

7 b. The treatment of a woman for a spontaneous
8 abortion, commonly known as a miscarriage, when not all
9 of the products of conception are expelled.

10 5. State or federal family planning funds
11 distributed in accordance with this section shall not
12 be used for direct or indirect costs, including but not
13 limited to administrative costs or expenses, overhead,
14 employee salaries, rent, and telephone and other
15 utilities, related to providing abortions as specified
16 in subsection 4.

17 6. Any department that distributes state or federal
18 family planning funds shall submit a report to the
19 governor and the general assembly, annually by December
20 31, listing any entities receiving family planning
21 funds as described in subsection 2, paragraph "c", and
22 the amount and type of funds received by such entities
23 during the preceding calendar year. The report shall
24 provide a detailed explanation of how the department
25 determined that distribution of family planning funds
26 to such an entity, instead of to an entity described
27 in subsection 2 paragraph "a" or "b", was necessary to
28 prevent severe limitation or elimination of access to
29 family planning services in the region of the state in
30 which the entity is located.>